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3 JANUARY 1979

EXECUTIVE SESSION

Minutes

The Police Commission of the City and County of San Francisco met in their chambers, Room 512, Hall of Justice, 850 Bryant Street, on Wednesday, January 3, 1979 at 1600 hours in Executive Session.

PRESENT: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

FEB 23 1978

Commissioner Siggins presiding.

1. Attorney/Client Conference.

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3 JANUARY 1979

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, January 3, 1979 at 1700 hours in regular session.

PRESENT: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

Commissioner Siggins presiding.

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

1025 TENNESSEE STREET - ROTH REFRIGERATOR

- a) At 1025 Tennessee Street, install a 24' yellow zone, extending from 24' north of south building line. Broken up by driveway.
- b) At 1025 Tennessee Street, install a 22' yellow zone, extending 22' south of north building line.





2999 WASHINGTON STREET - PACIFIC WINE CO.

- a) At 2999 Washington Street, install a 22' green zone, extending from 27' to 49' east of west building line.

2999 WASHINGTON STREET - PACIFIC WINE CO.

- a) At 2999 Washington Street, install a 22' yellow zone, extending from 5' to 27' east of west building line.

4889 MISSION STREET - TRU TEMP CO.

- a) At 4889 Mission Street, install a 32' yellow zone, extending from south building line 32' north of same.
- b) Remove meter 4849.

1230 GRANT AVENUE - MAIL BOX BOUTIQUE

- a) At 1230 Grant Avenue, install a 38' green zone, extending from 38' south of Fresno Street.
- b) At 1230 Grant Avenue, revoke existing 38' yellow zone, extending from 38' south of Fresno Street.

800 FONT - S.F. STATE COLLEGE

- a) At 800 Font, revoke 18' white zone, extending from 9' north to 9' south of south property line.
- b) Install a 22' yellow zone, extending from 9' north 13' south of south property line.

670 LAKE MERCED BLVD. - S.F. STATE COLLEGE

- a) At 670 Lake Merced Boulevard, revoke existing 40' yellow zone, extending from 100' to 140' north of Font.
- b) Install a 5' red zone each side of roadway.





800 FONT. - S.F. STATE COLLEGE

- a) At 800 Font, revoke existing 33' yellow zone, extending from 9' north to 42' north of south property line.
- b) Install a 5' red zone each side of roadway.

APPROXIMATELY 2398-20th AVENUE - TARAVAL PRODUCE

- a) At approximately 2398-20th Avenue, revoke existing 22' white zone, extending from 6' to 28' north of Taraval Street.
- b) Install a 22' yellow zone, extending from 6' to 28' north of Taraval Street.

60 BROADWAY - AUDIO VIDEO RENTS

- a) At 60 Broadway, install a 49' green zone, extending from 7' to 56' west of east building line.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 155 feet of white and yellow zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 4-79

ANNE FRANCIS CRUSSOCK

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Anne Francis Crussock against the City and County of San



Francisco in the sum of \$2,500.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 16, 1978

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 1-79

AUTHORIZING ATTENDANCE OF LIEUTENANTS THOMAS CAREY, PARK STATION, EDWARD EPTING, MISSION STATION, GINO MARIONETTI, TRAFFIC BUREAU, AND RALPH SCHAUMLIEFFEL, TARAVAL STATION, AT A MIDDLE MANAGEMENT TRAINING COURSE, AT LONG BEACH, CALIFORNIA, FROM MARCH 5, 1979 TO MARCH 16, 1979, INCLUSIVE.

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RESOLVED, that the recommendation of the Chief of Police that Lieutenants Thomas Carey, Park Station, Edward Epting, Mission Station, Gino Merionetti, Traffic Bureau, Ralph Schaumleffel, Taraval Station, be detailed to attend a Middle Management Training Course, at Long Beach, California, from March 5, 1979 to March 16, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Lieutenants Carey, Park Station, Edpting, Mission Station, Marionetti, Traffic Bureau, Schaumleffel, Taraval Station, in a sum not to exceed \$50.00 each, will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

The members of the Commission and the Chief, having received and returned amended copies of the minutes of the meeting of December 13, 1978, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins





CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain called upon Lieutenant Trueb of the Legal Office to give the Commission a status report of the Tow Contract for the City and the current problems involving it.

Lieutenant Trueb then stated that the Staff of the Legal Office met with the City Attorney to discuss the two levels of problems that the Department is having with the current Tow Car Contract. He stated that the City is having a problem with the clearing of the streets in the parking areas, particularly those cars which would be considered to be in 32A TC, towaway zone violation, and secondly, can the Department tow, and if so, where to? He said the big problem the city is having so far is the second. He stated that we are maintaining the capability to handle those situations where tows are a matter of public safety. He further stated that the major problem is the storage location and that the Department has the ability to store about 23 impounded cars which are for police purposes such as evidence, i.e., processing for fingerprints. He stated that he had brought this to the attention of the City Attorney who advised him that as of today they have had on-going meetings with Mr. Wallace Worthman, the Director of Property, and with Mr. Joe Gavin, the Purchaser of supplies, to attempt to get some location where the city would be able to store the cars that the Department is, in fact, towing away. He stated that as of the last hour this date, they have not as yet found a location, but they have several promising prospects where the cars could be stored. He stated that they indicated once they have that facility we will be able to handle the towing in all of the priority areas but not necessarily the towaway zones at this time.

Commissioner Ciani asked if the facilities at the Presidio had been considered because they have a very large fenced in area.

Commissioner Murphy suggested that Candlestick might be used during the winter season.

Lieutenant Trueb then stated that he was not involved in any of the negotiations for possible locations and was not told which areas they were examining, but apparently they feel that they have some suitable sites. He stated that they said they anticipate that they will have a solution to the problem in the next day or two.

Commissioner Murphy then asked about the status of the proposal to levy a fine of \$50 for the towaway violations instead of the \$10.?

Lieutenant Treub stated that when they went to court





in this regard, the presiding Judge was amenable to the suggestion, except that he said he didn't feel that he could make any kind of ruling to raise the fine to that amount failing an introduction of supportive data that the need existed. The Lieutenant stated that they were in the process now of gathering data for that prupose.

After much further discussion Chief Gain stated that the Department would give the Commission a recap and update of the status of this matter at the next week's Commission meeting.

Commissioner Murphy then asked the Chief to comment on the personnel vacancy chart that he had given the Commissioners prior to the meeting.

The Chief stated that this report is made weekly and what he would comment about is that the authorized number of sworn personnel in the Police Department is 1971, and how that came to be is that we have 1852 Ad Valorem funded positions. He continued by saying that as you know we had 1752, 100 made it 1852 then we have designated in the regular budget 1257, then there are Title II, CD Funds and CETA Funded positions which total 119, so when you add the 119 to 1852 Ad Valorem there is a grand total of 1971 which is now designated as our authorized strength and is made a part of our budget. He stated that the Commission will recall a couple of years ago when the Department had a shortage of personnel in the fall of 1976, the Mayor and Board of Supervisors then authorized these numbers of Federally Funded positions from various Federal Funds and that is how they came to be in the Department's Budget. He stated that those positions had been treated as extra positions but what will occur in about June of 1979 is that the Federal Funds designated will terminate, and the Q2 Officers who are working under those Funds will then be paid by Ad Valorem, but the authroized strength will still be 1971.

RESOLUTION NO. 2-79

PATROL SPECIAL OFFICER ALBERT ROBLES, CENTRAL  
POLICE DISTRICT

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Patrol Special Officers Albert Robles, as follows:



SPECIFICATION NO. 1

Conduct Unbecoming an Officer.  
Reflecting Discredit Upon the  
Department. (Violation of Section  
2.13 of the Rules and Procedures  
of the San Francisco Police Depart-  
ment.)

by Charles R. Gain, Chief of Police; therefore be  
it

RESOLVED, that the hearing before the  
Police Commission on charges filed against Patrol  
Special Officer Albert Robles, Central Police Dis-  
trict, be, and the same is hereby set for Wednesday,  
February 7, 1979 at 5:30 p.m., in Room 551, Hall of  
Justice.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

SHOW CAUSE HEARING IN THE MATTER OF SERGEANT BURTON  
J. BISHOP, FIELD OPERATIONS BUREAU - CONTINUED FROM  
THE MEETING OF DECEMBER 20, 1978.

Mr. Wilson, Legal Office, stated that yesterday he  
received a telephone call from Mr. George Engler,  
Attorney for Sergeant Bishop, who informed him that  
there was going to be a hearing in front of the pre-  
siding Judge of the Superior Court yesterday after-  
noon. He stated that he appeared at the hearing and  
after some discussion it was decided that against his  
motion, the hearing really was intended to stay any  
action by this Commission until a full hearing could  
be held on the 12th of January. He stated that this  
would be for three things, one of which was an Ex-  
Par Te Order staying any action by the Commission  
until a full hearing could be calendared, that is a  
Show Cause Order why a Writ should not be issued  
ordering the Commission to set aside it's decision  
terminating Sergeant Bishop. He further stated that  
obviously the 12th of January would put Sergeant Bishop  
beyond the reach of the Police Commission assuming, of  
course, that he will retire when he reaches his 50th  
birthday on the 14th. He stated that the matter was  
again heard this morning in Judge Kane's Court and  
when the Judge understood that the Sergeant had 28  
years of service in the Department and was 11 days  
short of retiring with a pension, he ordered a Per-  
emptory Writ of Mandamus which ordered the Commission  
to set aside it's decision terminating Sergeant Bishop  
so that the decision rendered by the Commission on  
September 14th is void.



Commissioner Siggins then stated that the Judge had no right to do that without a full hearing. without notice to both sides, and without a transcript of the matter. He continued by saying the Judge did not know the procedures involved and should not have issued such an order.

Commissioner Ciani stated that if this procedure, which was instituted in the desire to be merciful to people who shall otherwise be terminated, has such problems, then the result will be, unfortunately, that the Commission will not be able to afford that grace to other members of the Department in the future.

Commissioner Siggins then stated that the matter would be calendared for next week's meeting of 10 January, 1979.

3 JANUARY 1979

PUBLIC HEARING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, January 3, 1979, at 1900 hours, to hold a Public Hearing on the San Francisco Police Department Budget.

PRESENT: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

PUBLIC HEARING ON THE SAN FRANCISCO POLICE DEPARTMENT BUDGET FOR FISCAL YEAR 1979/80

Commissioner Siggins asked the Chief to give the Commission a brief overview of the contents of the budget.

Chief Gain then called upon Deputy Chief Mullen who stated that the Commission had been presented a budget that stays within the limits as directed by the Mayor's Office which includes a base budget of 83% of the amount which was approved in last year's budget, and also includes 3 add-ons, one at 88%, one at 92%, and one at 95%. He stated that the last one, according to the Mayor's instruction, is the top amount that can be budgeted this year. He stated that as it is, the budget is made up of 96% of personnel cost and there is no way of coming in at less than 100% realistically without getting into personnel cost. So the Staff has drawn up the budget which at it's highest level, provides that





both civilian and sworn personnel will be working no more than 36 hours a week. He stated that this number of hours translates into the reduction of 200 police officers in the patrol division. He stated that furthermore the Department has been required to eliminate from the budget request all sworn and civilian overtime and holiday pay. He further stated that the Department will try to give the fullest amount of services by re-allocation of resources. He also stated that it amounts to, at the highest level, a 78 million, 385 thousand, 22 dollar budget as compared to what was approved for fiscal year 78/79, which was 82 million, 610 thousand, 826 dollars.

Commissioner Sanchez then asked for a clarification of the procedures for this meeting. He stated that it was his understanding that this was a chance for the public to address itself to the Police Commission budget as discussed here this evening, and that at the Commission's next meeting a vote would be taken upon that budget and that there is a time line on that budget where it goes from here to the Finance Committee and from there to the Executive Branch.

Commissioner Siggins stated that the Department is committed to send the budget to the Mayor's Office by January 15th. He stated that he would anticipate that the Commission would be voting on the budget next Wednesday night, or at some other specially scheduled meeting.

He then said that "Request to Speak" cards have been passed out to those persons in attendance who wished to speak on different aspects of the budget, and then asked the speakers to limit themselves to 5 minutes on the particular items in which they were speaking.

The speakers were as follows:

Michael Johnson, Field Representative for the Service Employees International Union, Local 400 in San Francisco, representing the Transit Police Officers. He stated that he was here tonight to ask the Commission to include in the Police Department Budget \$2 million dollars to fund the Muni Transit Police. He stated that if this program is not funded by the San Francisco Police Department, or the City, all 82 Transit Officers were going to be out of work by October, 1979. He said the program needs to be in the Police Department's Budget. He stated that the Muni Railway is neither equipped, nor suited at this point, to train and supervise police officers, and right now Muni is under very severe pressure from the state and must generate about 33% of it's operating revenue out of the fare box beginning in April this year, and to ask them to put a 2 million dollar program into their budget, regardless of where the money comes from, if it comes from Ad Valorem funds, to ask them to put this kind of program into their



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budget is going to make it harder for them to reach that 33% mark, and it is going to jeopardize between 12 and 8 million dollars of state aid to Muni. He stated that, in conclusion, they did not want to see the program placed in the Police Department's budget to the detriment of any other police services. But he said, that they need to have the program placed in some budget to give them a chance to fight for the money for it. He said if the program is in no one's budget then the program simply will not be funded next year.

Chief Gain then stated that as the Commission knows, the Muni Transit Police Program is a police department program, that it's a valuable program, and the Commission is aware of the accomplishments they have made. He stated to those Muni Officers present that they have done an excellent job and the department is very proud of that.

He then had Chief Mullen respond to Mr. Johnson.

Chief Mullen said the Staff had been working with the Mayor's Office and Civil Service, who is presently developing a general classification to take care of the part of the law as invoked by CETA which requires that a regular Civil Service classification exist. He stated that they are also working with Mr. Won of CETA and that all of those employees who come in after January 27th, or somewhere after that, will be entitled to 18 months of CETA employment. He stated that while some persons may be terminated, if we can get the numbers of people that we think we can get in working with the Mayor's CETA Office, there will be enough people to carry the program over through the next fiscal year supported by Federal Funds and the Department should budget the program with Ad Valorem Funds the next Fiscal year thereafter.

The other speakers who spoke in behalf of Muni Transit Officers were:

Theresa Jackson, representing Senior Citizens in the North of Market area.

Samuel Walker, Transport Workers Union, representing the Municipal Railway operators.

Everett Adams, Muni Transit Police Officer.

Sheldon Spicer, Muni Transit Police Officer.

Mr. Amitai Schwartz, representing the Bar Association, requested to speak and addressed himself to the Office of Citizens Complaints. He then spoke on three aspects





of the proposal: One, the substance of the proposal as it was originally envisioned by the Bar Association in March of 1976. Secondly, the process that the Commission and the City of San Francisco has gone through in considering the proposal over the last three years, and thirdly, the politics of the present situation in terms of the present administration. In conclusion he stated that the city is going through a very sad and careful re-assessment process in terms of the Administration and in terms of political alliances, and, he stated, that he thinks on January 3rd, 1979, is just too early to say where this Mayor is going to come out on this particular program. He said two months from now when the decision has to be made, it wouldn't cost the Department much to put in those civilian investigators. The Commission has been with it before he stated, and he hoped that the Commission will stick with it again.

Other speakers speaking on behalf of the Office of Citizens Complaints were:

Mr. Irving Reichert, representing the Bar Association, stated that he would urge the Commission to include in the budget, as it has for two years, the same request for a pilot program to hire Civilian Investigators and Hearing Officers, and let the political portion of this be handled in some other quarter, but on the basis of previous testimony, the POST report which alluded to poor productivity by the IAB, and what the Commission itself knows, it's the honest obligation of the Commission to make the same recommendation in it's budget that it has made before.

Ms. Susan Rubenstein, representing Citizens for Justice, stated that they had been here two years in a row on the matter of the OCC, and again they are here urging the Commissioners to support a full budget allocation for Civilian Investigators as well as Hearing Officers. She stated that ultimately the OCC would create a trust and confidence that is absolutely essential to the development of a good police community relationship.

Ms. Dorothy Erhlich, Executive Director of the ACLU of Northern California, stated that she favored the establishment of an Office of Citizen Complaints staffed by Civilian Investigators and Hearing Officers. She stated that with the exception of the Police Department the ACLU is probably on the receiving end of most of the complaints in this community. She stated that they have a staff of volunteers who handle 3 to 5 calls each day regarding these complaints. She stated that they are receiving nearly 1000 of these calls a year. She said that the ACLU sees the OCC as giving added confidence to those people who are hesitant to even approach the Department and it would be an avenue to provide greater impartiality in investigation into their complaints.



Captain George Jeffery, President of the Supervisory Officers' Investigators Association of the San Francisco Police Department. He stated that his Association is opposed to the inclusion of the OCC into the San Francisco Police Department budget. He stated that their position is that the Department already has a civilian review board in that the Department is administered by 5 civilians who ultimately have the responsibility for all Internal Affairs Complaints and all complaints against the police department. He stated that it was his membership's feeling that the Internal Affairs Unit does an adequate job and that sometimes a lot of the men feel that they do too good of a job. He said the very fact that the Commission, acting as the review for the Internal Affairs Bureau, sustain a great majority of every recommendation made by the IAB, confirms the fact that the citizens of San Francisco has a very good investigative unit and is doing a very good job of serving them.

Mr. Jeffrey Ross, stated that he was a representative of the Executive Board and of the City Wide Advisory Board for Project SAFE. He stated that he supported the OCC and that it could contribute to persons having more confidence in the police department and although the police department is doing a very strong and good job for the city, that occasionally there are problems and with the OCC there would be a forum in which those problems could be addressed. He said that Mr. Tony Lorr, who has been active in police problems and projects, had he not been ill tonight, would also be here speaking in favor of the \$400,000 dollar item for Project SAFE currently in the budget, and in addition to that, asking for support of the proposed Office of Citizens Complaints Procedures.

At the conclusion of the public testimony Commissioner Sanchez stated that at some point there should be some sort of policy options where the Commission could explore the creation of a Planning and/or Grants Unit, a sort of collaboration model so that certain numbers of Foundations could be approached and state our needs, such as health care, and senior citizens needs, because the San Francisco Police Department, as an innovative unit, does not have the hardcore money to provide the basic services to the city and at the same time maintain those services that have already proven successful. He stated that he wondered if this year the Commission might be able to spend a little more time to generate some citizen input or maybe even create a TASK Force so that they may begin to explore, collectively, these problems, because at some point, basically, budgets are going to be cut. He stated it may be the Hospital Police, it may be the Muni Transit Police, or it may be the Crime Prevention Unit. He said, in essence, a unique



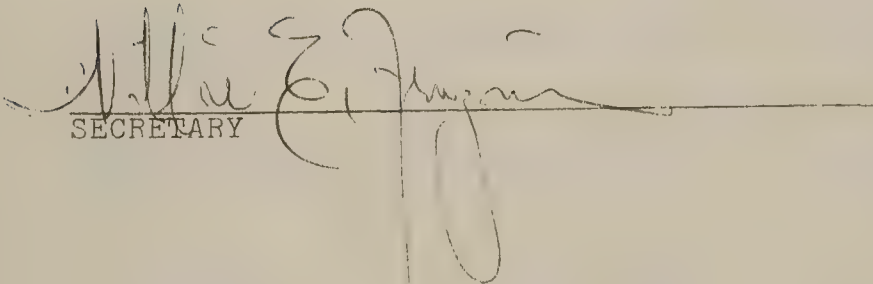


opportunity may be lost to try and pull together a number of the creative people within the Department, and of those who are working very closely with the department to begin to explore a number of fiscal options. He said he was just throwing that out as sort of, hopefully, planning for this year.

Chief Gain stated that in that light they have a meeting scheduled for next week. He then stated that he would like to comment, for the record, in regard to the POST Survey and their workload data as given by Mr. Reichert. He stated that POST used 1976 data in their survey and Mr. Reichert stated that there were 27 man years and that would be interpreted to be equivalent to 27 officers who investigated those reports, 34 assigned reports per person. The Chief said actually what the POST Survey document shows is that there was a total complement in Internal Affairs of 27 which would include sworn and clerical help. He said if you looked at the actual number of investigators it would be 18, which included 1 Captain and at that time, two lieutenants. He said he has since removed a lieutenant, so actually it was 18 investigators, not 27 who were handling that workload. He said, but notwithstanding that, there has been an improvement in productivity.

Commissioner Siggins then stated that the Commission, at this point, would like to commend those members who put the budget together. The parties who were responsible are: Deputy Chief Mullen, Lieutenant Mike Lennon, Lieutenant Thomas O'Donnell, and Mr. Richard Curtis.

The Commission then adjourned its meeting at 2115 hours.

  
SECRETARY



10 JANUARY 1979

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, January 10, 1979 at 1730 hours in regular session.

PRESENT: Commissioners Ciani, Murphy, Sanchez, Siggins

ABSENT: Commissioner Toler

Commissioner Siggins presiding.

FEB 22 1979

DEPT. OF PUBLIC SAFETY  
S.F. 9

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

492 BROADWAY - EL MATADOR

- a) At 492 Broadway, install a 22' white zone, extending from West property line 22' east of same.
- b) At 492 Broadway, revoke existing 22' yellow Special Truck Loading Zone.

APPROXIMATELY 480 TREAT - WEST COAST IND.

- a) At approximately 480 Treat, install a 22' yellow zone, extending from 48' to 70' south of north building line.

1286 FOLSOM STREET - THE TV UNIT

- a) At 1286 Folsom Street, install a 22' yellow zone, extending from 3' to 25' west of west property line.

2201 PINE STREET - TOM SO HO GROCERY

- a) At 2201 Pine Street, install a 22' yellow





zone, extending from east property line 22' west of same.

1052 FOLSOM STREET - LAFE DELICATESSEN

- a) At 1052 Folsom Street, install a 44' green zone, extending from 19' to 63' west of east property line.

APPROXIMATELY 490 TREAT - WEST COAST IND. - DENIED

- a) At approximately 490 Treat, install a 27' green zone, extending from south property line 27' north of same. DENIED.

APPROXIMATELY 1242 TAYLOR STREET - S.F.P.D.

- a) At approximately 1242 Taylor Street, revoke existing 36' green zone, extending from 9' to 45' north of south building line.

APPROXIMATELY 1238 TAYLOR STREET - S.F.P.D.

- a) At approximately 1238 Taylor Street, revoke existing 48' yellow zone, extending from 10' north of to 38' south of the north line of that address.

AYES: Commissioners Ciani, Murphy, Sanchez, Siggins

NOT VOTING: Commissioner Toler

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of yellow and green zones, at the parts of the city, at the conditions submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Murphy, Sanchez, Siggins

NOT VOTING: Commissioner Toler



RESOLUTION NO. 5-79

ELLIS A. RALL AND HIS ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Ellis A. Rall and his attorney in the sum of \$300.00 in Superior Court Action No. 672-459 entitled "Ellis A. Rall v. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: June 29, 1973

AYES: Commissioners Ciani, Murphy, Sanchez,  
Siggins

NOT VOTING: Commissioner Toler

RESOLUTION NO. 6-79

MICHAEL BUSH AND HIS ATTORNEYS

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Michael Bush and his attorney in the sum of \$750.00 in Superior Court Action No. 671-890 entitled "Michael Bush v. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 23, 1969

AYES: Commissioners Ciani, Murphy, Sanchez,  
Siggins

NOT VOTING: Commissioner Toler

RESOLUTION NO. 7-79

MICHAEL J. POWERS AND HIS ATTORNEYS

RESOLVED that the recommendation of the City Attorney for settlement of litigation of Michael J. Powers and his attorneys in the sum of \$1,750.00 in Superior Court Action No. 744-816 entitled "Michael



J. Powers v. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 13, 1978

AYES: Commissioners Ciani, Murphy, Sanchez, Siggins

NOT VOTING: Commissioner Toler

RESOLUTION NO. 8-79

AUTHORIZING ATTENDANCE OF LIEUTENANT VERNON MCDOWELL, PAWN/PROPERTY MANAGEMENT, SERGEANT CHARLIE HOENISCH AND INSPECTOR KENNETH KING, PROPERTY MANAGEMENT, AT A SPECIAL MEETING L.E.A.A. CRIMINAL CONSPIRACIES DIVISION AT LONG BEACH, CALIFORNIA, ON JANUARY 15, 1979 AND JANUARY 16, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Vernon McDowell, Pawn/Property Management, Sergeant Charlie Hoenisch and Inspector Kenneth King, Property Management, be detailed to attend a special meeting L.E.A.A. Criminal Conspiracies Division at Long Beach, California, on January 15, 1979 and January 16, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that all expenses will be defrayed by L.E.A.A.

AYES: Commissioners Ciani, Murphy, Sanchez, Siggins

NOT VOTING: Commissioner Toler

RESOLUTION NO. 9-79

AUTHORIZING ATTENDANCE OF CRIMINALIST TERRY CODDINGTON, CRIME LABORATORY, AT THE FORENSIC MICROSCOPY WORKSHOP AT MODESTO, CALIFORNIA, FROM JANUARY 15, 1979 TO JANUARY 19, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Criminalist Terry Coddington, Crime Laboratory, be detailed to attend the Forensic Microscopy





Workshop at Modesto, California, from January 15, 1979 to January 19, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Criminalist Terry Coddington, Crime Laboratory, in a sum not to exceed \$299.00 will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez, Siggins

NOT VOTING: Commissioner Toler

RESOLUTION NO. 10-79

AUTHORIZING ATTENDANCE OF ASSISTANT INSPECTOR MORGAN PETERSON, INVESTIGATIONS BUREAU (YOUTH SERVICES DIVISION), AT THE DELINQUENCY CONTROL INSTITUTE AT LOS ANGELES, CALIFORNIA, FROM JANUARY 22, 1979 TO MARCH 16, 1979, INCLUSIVE.

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RESOLVED, that the recommendation of the Chief of Police that Assistant Inspector Morgan Peterson, Investigations Bureau (Youth Services Division), be detailed to attend the Delinquency Control Institute, at Los Angeles, California from January 22, 1979 to March 16, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Assistant Inspector Morgan Peterson, Investigations Bureau (Youth Services Division), in a sum not to exceed \$2,264.00 will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez, Siggins

NOT VOTING: Commissioner Toler

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain did not present a report to the Police Commission tonight.



RECOMMENDATIONS OF THE AWARDS COMMITTEE

Commissioner Siggins: "I had the honor of chairing that meeting, and the acts of heroism that were shown by the men and women of this department, in this case, seemed to remove more violent and evil criminals off the street. It also seemed to me that it was very satisfying to the honorees to know that the Courts have dealt with those criminals severely, in that many are now in prison and are no longer on the street. So I would like to move approval of these awards."

January 31, 1979, was set for presentation of the awards to the honorees.

RESOLUTION NO. 16-79

RECOMMENDATIONS OF THE AWARDS COMMITTEE - APPROVED

RESOLVED, that the following-named members of the Police Department, be, and they are hereby granted Awards of Valor - Gold Medal, Silver Medal, and Bronze Medal, under the provisions of Section 5.119 of the Rules and Procedures of the San Francisco Police Department, as approved by the Awards Committee on Friday, January 5, 1979:

Lieutenant William C. Scheffler	Gold Medal of Valor
Police Officer Gregory (nmi) Corrales	Gold Medal of Valor
Police Officer James S. Lomax	Gold Medal of Valor
Police Officer Raymond F. Mullane	Gold Medal of Valor
Police Officer Michael C. Norman	Gold Medal of Valor
Lieutenant William C. Scheffler	Silver Medal of Valor
Police Officer Joseph K. Allegro	Silver Medal of Valor
Police Officer Vivian A. Baptiste	Silver Medal of Valor
Police Officer Daniel J. Hallisy	Silver Medal of Valor
Police Officer Marion D. Jackson	Silver Medal of Valor
Police Officer Roger W. Liljedahl	Silver Medal of Valor
Police Officer James S. Lomax	Silver Medal of Valor
Police Officer Allyn T. Luenow	Silver Medal of Valor
Police Officer Michael A. Lujan	Silver Medal of Valor
Police Officer Bill A. Maring	Silver Medal of Valor





Police Officer Robert F. Martinez	Silver Medal of Valor
Police Officer Anthony E. Rodriguez	Silver Medal of Valor
Police Officer Edward M. Rodriguez	Silver Medal of Valor
Police Officer Karl T. Selchau	Silver Medal of Valor
Lieutenant Willis A. Casey	Bronze Medal of Valor
Inspector Marvin V. Dean	Bronze Medal of Valor
Inspector Napoleon L. Hendrix	Bronze Medal of Valor
Assistant Inspector Stephen J. Gudelj	Bronze Medal of Valor
Sergeant Donald R. Blaine	Bronze Medal of Valor
Sergeant Lawrence A. Price	Bronze Medal of Valor
Police Officer William J. Banas	Bronze Medal of Valor
Police Officer John V. Bisordi	Bronze Medal of Valor
Police Officer James W. Bloesch	Bronze Medal of Valor
Police Officer Willa M. Brown	Bronze Medal of Valor
Police Officer Allan C. Duncan	Bronze Medal of Valor
Police Officer Donald I. Hensic	Bronze Medal of Valor
Police Officer Richard M. Huddleston	Bronze Medal of Valor
Police Officer Frank B. Lutticken	Bronze Medal of Valor
Police Officer Daniel G. Marr	Bronze Medal of Valor
Police Officer Catharine B. Nelson	Bronze Medal of Valor
Police Officer Robert G. Sudano	Bronze Medal of Valor
Police Officer Michael F. Travis	Bronze Medal of Valor
Assistant Patrol Special Officer Mark Pappas	Bronze Medal of Valor
Housing Police Officer Robert Lee	Bronze Medal of Valor
Housing Police Officer Frank Scalise	Bronze Medal of Valor
Police Officer Robert F. Barry	Meritorious Conduct Award
Police Officer Croce A. Casciato	Meritorious Conduct Award

AYES: Commissioners Ciani, Murphy, Sanchez,  
Siggins

NOT VOTING: Commissioner Toler



RESOLUTION NO. 17-79

REWARDS GRANTED TO MEMBERS OF THE POLICE DEPARTMENT

WHEREAS, the following-named members of the Police Department have been commended for courageous service under the provisions of Section 5.119 of the Rules and Procedures of the San Francisco Police Department at a meeting of the Police Commission held on Wednesday, January 10, 1979; and

WHEREAS, Chief of Police Charles R. Gain has recommended to the Police Commission that the said members be rewarded under the provisions of Section 8.405(a) of the Charter of the City and County of San Francisco; therefore be it

RESOLVED, that Lieutenant William C. Scheffler, Police Officers Gregory (nmi) Corrales, James S. Lomax, Raymond F. Mullane, and Michael C. Norman, be, and they are hereby awarded Gold Medals of Valor and granted a reward of \$200.00 each as provided for under said section of the Charter; and be it further

RESOLVED, that Lieutenant William C. Scheffler, Police Officers Joseph T. Allegro, Vivian A. Baptiste, Daniel J. Hallisy, Marion D. Jackson, Roger W. Liljedahl, James S. Lomax, Allyn T. Luenow, Michael A. Lujan, Bill J. Maring, Robert F. Martinez, Anthony E. Rodriguez, Edward M. Rodriguez, and Karl T. Selchau, be, and they are hereby awarded Silver Medals of Valor and granted a reward of \$100.00 each as provided for under said section of the Charter; and be it further

RESOLVED, that Lieutenant Willis A. Casey, Inspectors Marvin V. Dean, Napoleon L. Hendrix, Assistant Inspector Stephen J. Gudelj, Sergeants Donald R. Blaine, Lawrence A. Price, Police Officers William J. Banas, John V. Bisordi, James W. Bloesch, Willa M. Brown, Allan C. Duncan, Donald I. Hensic, Richard M. Huddleston, Frank B. Lutticken, Daniel G. Marr, Catharine B. Nelson, Robert G. Sudano, and Michael F. T... Assistant Patrol Special Officer Mark Pappas, be, and they are hereby awarded Bronze Medals of Valor and granted a reward of \$50.00 each as provided for under said section of the Charter; and be it further

RESOLVED, that Police Officers Robert E. Barry and Croce A. Casciato, be, and they are hereby awarded Meritorious Conduct Awards and granted a reward of \$50.00 each as provided for under said section of the Charter.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Siggins

NOT VOTING: Commissioner Toler



POLICE COMMISSION CONSIDERATION AND ACTION ON  
CONSENT DECREE IN OFFICERS FOR JUSTICE, ET AL.,  
PLAINTIFFS' LAWSUIT.

Commissioner Siggins stated that the Commission had had a meeting with members of the City Attorney's Office last Wednesday, and decided to calendar this item tonight for consideration. He noted the presence of Michael Killelea, Deputy City Attorney and Inspector Earl Saunders, President of the Officers for Justice, Police Officer's Association, and one of the Plaintiffs in the law suit against the City and the Police Department. He acknowledged Inspector Saunder's request to speak but stated for the record that as far as the law suit is concerned, the OFJ has an attorney and that the record should reflect that fact.

Inspector Saunders then spoke and stated that he had come before the Commission to lodge the objections of the OFJ and Co-Plaintiffs regarding the Consent Decree Settlement. He said he was doing so for the following reasons. That #1, it will maintain the status quo. He said it does not cure the ills that necessitated the suit in the first place, that being; "Racism and sexism in the police department." He stated that the settlement had been offered to them with a take it or leave it attitude. He continued by saying that the proposal was negotiated and contrived without the Plaintiffs being given the opportunity to participate. He said the settlement, as it stands now, will place upon the taxpayers of San Francisco a large financial burden. This, he said by his own calculations would cost somewhere in the neighborhood of 9 million dollars a year and if the Decree goes for 10 years it could cost a total of 90 million dollars extra to the taxpayers of the City and County of San Francisco.

Deputy City Attorney Michael Killelea then requested to speak on behalf of the City Attorney's Office and stated that Inspector Saunders had said this was a take it or leave it proposal and that that was not true. He continued by saying that they did discuss this matter with the attorney for the OFJ and for the other Plaintiffs at length, on different variations, in how to settle this case. He said discussions continued until they found that a settlement with them could not be reached. He stated that they then discussed it with the Co-Plaintiff, the United States Attorney, who agreed that this settlement would be a proper disposition of the case. He said it would not only permit minorities to enter into the Department on a timetable approach, but would permit them to advance in rank throughout the Department. He said they felt this was a less divisive measure to integrate the Department and at the same time give relief to those who have been discriminated against. He stated that they have invited and urged council from the other side to become involved and to be a signatore to this Consent Decree and they have announced that they do not wish to do so. He further stated that it is not an agreement





between the City and the San Francisco Police Officer's Association, it is an agreement between the City, the SFPOA and the United States of America. He said, and the United States of America who brought this suit, after the OFJ did, is suing on the identical issues that the test were invalid and not job related, feels that this Decree satisfies the government of this country and that the approach to the settlement of the case will not only conclude this litigation but will also permit integration of the Department over a 10 year period. He said he did not understand how Inspector Saunders arrived at the monetary figure he quoted when the size of the Department will not increase over that which existed in the late 60's and early 70's. He then gave a breakdown of numbers of personnel and how they would be assimilated into the various levels of the Department over the next two years, demonstrating the feasibility of absorption of both the current Sergeant's and Assistant Inspector's lists.

Commissioner Sanchez then stated that he would just like to make a few observations. He stated that he really couldn't begin to undertake a comprehensive restructuring of a valid institutional change within the San Francisco Police Department as a law enforcement agency that is held accountable to all people within San Francisco. He said he felt that at this point in time, the Consent Decree will give the Department more of a base in which to validate and provide content validity, and reliability within the variety of test measures that, hopefully, will be used in the next two to ten years. He further stated that testing as an institution has been hit by many academicians both in reference to test scores, whether it be for the GRE Exam or for the Law Exam, or for the Medical School Exam. He said the fact that, in essence, the Department is going to be looking at a number of new variables in reference to skill, competency and accountability, is something that he thinks the City of San Francisco deserves. He said because of this, and because he feels that x numbers of stress is put into the area of re-structuring those content items and instruments that have been used as far as institutional barriers in the past, he would, therefore, make a motion at this point that the Police Commission accept the proposed Consent Decree as so presented by legal counsel to this Department.

Commissioner Ciani stated that she would second that motion but she also wanted to make a comment or two. She said she thought that we all recognize that there is a cost factor in this proposal which may not be assessible at this time, there being too many variables involved. She stated that as a taxpayer, she is a bit reluctant to have to find the city to a very onerous financial burden, but did not really see any alternative at this point. Secondly, she said, that this solution, she thinks, all



things considered, is the most likely to, both, advance the interest of minorities in the Department, and be fair to those who are already in the Department. She said that she thinks this is the only way that you can bring about harmony that is a necessary building block if we are going to go forward and put this suit behind us.

RESOLUTION NO. 18-79

OFFICERS FOR JUSTICE, ET AL., VS. CIVIL SERVICE COMMISSION OF THE CITY AND COUNTY OF SAN FRANCISCO, ET AL., CONSENT DECREE

RESOLVED, that the Police Commission does hereby approve the Officers For Justice, et al., Plaintiffs, vs. Civil Service Commission of the City and County of San Francisco, Defendants, Consent Decree.

AYES: Commissioners Ciani, Murphy, Sanchez, Siggins

NOT VOTING: Commissioner Toler

POLICE COMMISSION CONSIDERATION AND ACTION ON DEPARTMENT BUDGET REQUEST FOR FISCAL YEAR 1979-1980.

Commissioner Siggins stated that the record should show that the Commission had a Public Hearing on the San Francisco Police Department's budget, January 3rd, 1979.

Commissioner Murphy then said she would like to comment on it. She mentioned the budget request for the Police Commission Office. She stated that she did not think the Commission should be tied down to a Senior Management Assistant as outlined for fiscal year 1979/80 for the Commission Office. She stated that the Charter allowed for the Commission to be able to select anyone the Commission desired as Secretary, whether sworn or otherwise, and that she would like to see that reflected in this budget instead of requesting a Senior Management Assistant, which it could be at some time or another, but preferred the flexibility of having either sworn or non-sworn personnel. She stated that she would rather have it as just a "Secretary to the Police Commission" without tying themselves down to a particular classification.

Chief Gain stated that that position had not been classified as yet, and that it was one of the many in the Department's Conversion Program. He stated that it could be handled right now and not as a matter of the proposed budget because the Department is in the process of the Conversion Program now and this has yet to be classified. When it





is classified the Department can then place it under the appropriate classification which, for example, can be a Secretary.

Commissioner Murphy then stated that she really had some feeling about not having sworn personnel and that was one of her reasons for not wanting to limit the Commission in its selection.

Chief Gain then stated that there would still be total flexibility and that Staff would do whatever the Commission wished them to do.

Commissioner Sanchez reviewed the Commissions previous action, stating the Commission utilize the "rank of Lieutenant for Secretary."

Chief Gain acknowledged this point.

Commissioner Sanchez then moved approval of the fiscal 79/80 budget for the San Francisco Police Department as so recommended by the Chief and reviewed by the Commission. It was seconded by Commissioner Murphy and unanimously approved.

Commissioner Ciani stated that it should be pointed out for the people of the Bar Association present tonight that the Commission was not permitted to put forth a budget of more than 95% at this stage, so it was not feasible to make any additions to this budget which would have required cutting out other features which are essential to the Department. She continued by saying, if, and when such additional funds become available, things such as the Muni-Transit Police problem and perhaps the OCC could be considered at that time.

Commissioner Murphy stated that the Chief indicated that in subsequent weeks the Department would be submitting additions to the budget and she requested that the Pilot Program of the OCC and the Muni-Transit Police Program to be included as add-ons with subsequent discussions with the Mayor and her Staff.

RESOLUTION NO. 15-79

OPERATING BUDGET FOR FISCAL YEAR 1979-1980 - SAN FRANCISCO POLICE DEPARTMENT

RESOLVED, that the Police Commission hereby approves the operating budget of the San Francisco Police Department for the fiscal year 1979-1980 as submitted by Chief of Police Charles R. Gain.



Base Budget (83%)	\$68,938,826
First Add On (88%)	72,734,594
Second Add On (92%)	76,058,614
Third Add On (95%)	78,385,022

AYES: Commissioners Ciani, Murphy, Sanchez,  
Siggins

NOT VOTING: Commissioner Toler

SHOW CAUSE HEARING IN THE MATTER OF SERGEANT  
BURTON J. BISHOP, FIELD OPERATIONS BUREAU.  
(CONTINUED FROM THE MEETING OF JANUARY 3, 1979)

Commissioner Siggins stated to Mr. George Engler, Attorney for Sergeant Bishop, that the Commission had made findings in regard to charges filed against Sergeant Bishop resulting in a proscribed penalty. He further stated to Mr. Engler, who had presented a Temporary Restraining Order to the Commission from the Superior Court of Hon. Judge Kane, that the Commission would obey this particular order and wished Sergeant Bishop well, but that he did not do the Department any good as far as the Commission is concerned. He stated that in future matters such as this that come before this Commission would probably be dealt with more severely.

Commissioner Ciani stated that Sergeant Bishop had made a mockery of the Commission's attempts to be fair to him and that it is probably going to create problems for his fellow officers who are in the same position and to whom the Commission will not be able to show the same kind of mercy because of a likelihood that this mockery will be perpetuated.

Commissioner Siggins then stated that Sergeant Bishop made absolutely no attempt to live up to the conditions that he agreed to at a time when the alternative to the Commission was to terminate his employment. The restraining order now puts him beyond the Commission's jurisdiction in that he will be 40 years of age on the 14th of January and thereby eligible for retirement. Commissioner Siggins continued by saying that the productivity of Sergeant Bishop in the last 6 months has been nothing and the City gets nothing out of a person in his last year if it is going to be said, "Oh, don't fire him now he is going to retire," so person's under similar conditions will just hang on.

Commissioner Sanchez then asked Sergeant Bishop to



maybe let the Commission, or perhaps the Chief, know, in writing, about how the Department might deal with this illness which is common not only in reference to institutions such as Law Enforcement, but in Medicine and Health Services also. He said, because, given his 30 years of service and in stress, through the industry, or through the institution, perhaps he might be able to make a significant contribution to the rehabilitation program that the Department has been trying to undertake over the past couple of years, and the Commission would certainly welcome his comments.

The matter was then put over to the 31st of January, 1979.

RESOLUTION NO. 11-79

SHOW CAUSE HEARING IN THE MATTER OF SERGEANT  
BURTON J. BISHOP, FIELD OPERATIONS BUREAU

WHEREAS, the hearing of Sergeant Burton J. Bishop, Field Operations Bureau, was called; and

WHEREAS, Mr. George Engler, Attorney for Sergeant Burton J. Bishop, appeared and presented the Commission with a Temporary Restraining Order from the Superior Court restraining the Commission from taking any further action against Sergeant Burton J. Bishop; therefore be it

RESOLVED, that it is the order of the Police Commission that the Show Cause hearing of Sergeant Burton J. Bishop, is set for Wednesday, January 31, 1979, at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Taper, Carabon,  
Siegman

NOT VOTING: Commissioner Toler

RESOLUTION NO. 19-79

HEARING REGARDING GRIEVANCE 71-78, FILED BY OFFICER  
BRUCE MAROVICH

WHEREAS, the Grievance hearing of Police





Officer Bruce Marovich, Crime Specific Task Force, was called, it having been set for this date; and

WHEREAS, Mr. Lawrence Wilson stated that Mr. Stephen B. Bley is the attorney for Police Officer Francis J. Murphy, Central Police Station, and Mr. Bley and he agreed that a date for Officer Murphy's hearing should be scheduled on February 14, 1979; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Francis J. Murphy, Central Police Station, is set for Wednesday, February 14, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez, Siggins

NOT VOTING: Commissioner Toler

RESOLUTION NO. 14-79

HEARING OF STATION OFFICER THOMAS O'BRIEN, RICHMOND POLICE STATION

WHEREAS, the hearing of Station Officer Thomas O'Brien, Richmond Police Station, was called, it having been set for this date; and

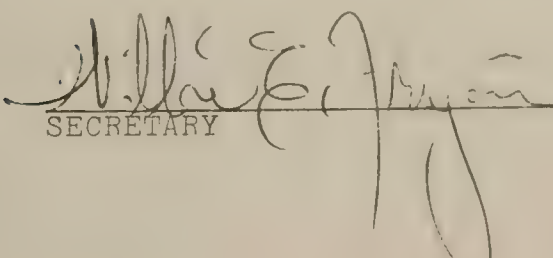
WHEREAS, Mr. Joseph A. Desmond, Attorney at Law, who is representing Station Officer Thomas O'Brien, has requested that a date for the hearing be set after the criminal proceedings have been disposed of in this matter; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Station Officer Thomas O'Brien, Richmond Police Station, is set for Wednesday, February 21, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez, Siggins

NOT VOTING: Commissioner Toler

The Commission then adjourned its meeting at 1931 hours.

  
SECRETARY



17 JANUARY 1970

1217

Minutes

The Police Commission of the City and County of San Francisco, met in their meeting room, Room 551, Hall of Justice, 850 Market Street, on Wednesday, January 17, 1970, at 1700 hours in regular session.

PRESENT: Commissioners Murphy, Teller, and

ABSENT: Commissioners Ciani, Sanchez

Commissioner Siggins presiding.

MAR 9 1978

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RECOMMENDATIONS OF THE TRAFFIC BUREAU

The Mansion Hotel - 2220 Sacramento Street.

Officer Hardeman stated that there has been a number of people phoning in protesting against the granting of a white zone to the Mansion Hotel. He presented a letter which he stated was hand carried to his office from a Mrs. Mary Binkley.

Commissioner Siggins stated that the letter indicated that Mr. Pritikin was operating the Hotel illegally and questioned whether or not this was true.

Mr. Pritikin, the applicant, then stated that he had received a permit to operate, which he had with him, from the City and County of San Francisco Department of Public Works, a Permit of Occupancy, issued to him about a year and a half ago. He also stated that he had a Business Tax Permit to operate a hotel at 2220 Sacramento Street, a Business Tax Certificate to pay a vast number of taxes to the City and County of San Francisco from a Hotel designation, and that there is no other documentation required, to operate a hotel, available in any bureau in the city.

Commissioner Murphy then referred to a Planning Commission meeting where the area is zoned for R-2 occupancy.

Mr. Pritikin responded by saying the Planning Commission is currently engaged in re-writing the legislation that will alleviate that problem. He stated he is supporting the Mansion and that problem will be resolved.

Commissioner Murphy then





new owners at 2224 Sacramento have petitioned from the City Planning Commission to permit a small legal guest house and one of the demands is, contingent upon this permission, is the removal of the white zone in front of this property as already one fourth of the block is taken.

The question was then raised by Councilman Toler as to disagreements with the City and the neighborhood in this regard.

Mr. Pritikin stated that as far as the question of neighborhood support, he stated, he had letters from the owners and/or managers of buildings on both sides of the block representing over 90% of the population of that block, very, very laudatory letters supportive of the Mansion Hotel. He stated that he had spoken to two of the owners of the property which was formerly the Walden House last week and they said they would be very supportive of the Mansion having the white zone in place of their having the white zone. He stated that they made this statement after a very cordial hour and a half meeting with those persons.

Commissioner Murphy then moved that the matter be held over until the Commission had an opportunity to find out from the Planning Commission as to what kind of legislation they are proposing to the Board of Supervisors. She then asked Officer Hardeman to give the Police Commission a report on this matter at the next Police Commission meeting.

Commissioner Siggins stated that he was prepared to vote on the matter tonight. He stated that he had been to the area, inspected it, and he would be willing to vote for a white zone. He stated that he was of the opinion that a white zone is needed to operate a hotel of this type.

Commissioner Murphy stated that her only feeling was that if this legislation isn't forthcoming it's costly to the city to have a hotel built and install another hotel, and then have it removed again. She said her order was that that whole neighborhood is a white zone and if the legislation would have to be changed if the Mansion is going to continue to operate as a hotel.

Commissioner Siggins then suggested that the white zone be granted to them as long as it is a hotel. He then asked for a motion to that effect.



Commissioner Toler then stated that he would like to see the property so move.

Commissioner Murphy then said that he would like to see the property. Toler, as a point of clarification, said that the Commission is granting the license to the Mansion Hotel until it is determined whether they can operate the hotel.

Commissioner Siggins then stated for further clarification that it would be for so long as it remains a hotel because a license has already been acquired to operate a hotel at this time. He continued by saying that if Mr. Pritikin loses that license, then he would lose the white zone.

Commissioner Murphy then seconded that motion and it was unanimously approved.

#### RECOMMENDATIONS OF THE TRAFFIC BUREAU - 1941

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

#### 2220 SACRAMENTO STREET - THE MANSION HOTEL

- a) At 2220 Sacramento Street, install a 22' white zone, extending from 22' west of east property line.

#### 1501 WALLER STREET - PHILIA

- a) At 1501 Waller Street, install a 20' green zone, extending from 20' west of east property line.

#### 3141-17th Street - PHILIA

- a) At 3141-17th Street, install a 20' green zone, extending from 20' west of east property line.

#### 1877 STOCKTON STREET - LOMBARD HEIGHTS

- a) At 1877 Stockton Street, install a 20' green zone, extending from 20' south of north property line.



- b) Revoke existing 10' white zone at same location.

44 MONTEREY BOULEVARD - SERVICE 1

- a) At 44 Monterey Boulevard, installing 37' green zone, extending from 10' east to 27' west of the east entrance line.

2224 SACRAMENTO STREET - WALDEN HOUSE

- a) At 2224 Sacramento Street, revoke existing 22' white zone, extending from 30' to 10' east of west property line.

1355 ELLIS STREET - CENTRAL GARDENS HOSPITAL -DENIED

- a) At 1355 Ellis Street, add an 18' white zone extension, 18' white zone west of the entrance line of the entrance. DENIED

977 ELLIS STREET - BAGDAD RUG CO. - DENIED

- a) At 977 Ellis Street, install 27' white zone, extending from east building line 27' west of same. DENIED

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

REVOKED

RESOLVED, that the Board of the Seattle Bureau of Traffic and Safety, of yellow, green and white paint, the City, at the locations submitted, be, same are hereby revoked.

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

RESOLUTION NO. 20-7

POLICE NARCOTICS UNIT - DENIED

RESOLVED, that the Board of the Seattle Bureau of Traffic and Safety, of yellow, green and white paint, the City, at the locations submitted, be, same are hereby revoked.





is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the amount of \$6,000.00 charging same to Firm No. 355081 2021 133 01 as an advance on the Police Narcotic Fund for the month of January, 1979.

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

RESOLUTION NO. 21-79

POLICE CONTINGENT FUND - APPROVED

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police, Charles R. Gain, in the amount of \$4,000.00 charging same to Firm No. 355081 2021 132 01 as an advance on the Police Contingent Fund for the month of January, 1979.

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

RESOLUTION NO. 22-79

LIBERTY MUTUAL INSURANCE COMPANY  
(LASKY, LAURENCE)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Liberty Mutual Insurance Company (Lasky, Laurence) against the City and County of San Francisco in the sum of \$24.50 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: October 10, 1976

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

RESOLUTION NO. 23-79

DAVID C. DUGGER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of David C. Dugger against the City and County of San Francisco in the sum of \$24.50 as the result of a collision with a police vehicle, be, and the same is hereby approved.



City Attorney for settlement of the claim of David C. Dugger against the City and County of San Francisco in the sum of \$1,231.97 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: August 29, 1978

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

RESOLUTION NO. 24-79

CATHERINE KELLY BASS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Catherine Kelly Bass against the City and County of San Francisco in the sum of \$22.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 9, 1978

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

RESOLUTION NO. 25-79

ARTHUR R. MARRYATT AND  
HIS ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Arthur R. Marryatt and his attorney in the sum of \$140,000.00 in Superior Court Action No. 702-998 entitled "Arthur R. Marryatt v. City and County of San Francisco, et al.," as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: February 26, 1976

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez





RESOLUTION NO. 26-79

AUTHORIZING ATTENDANCE OF SERGEANT HULSEY, INTELLIGENCE-GANG TASK FORCE, AT THE SPECIALIZED SURVEILLANCE EQUIPMENT TRAINING COURSE AT SACRAMENTO, CALIFORNIA, FROM FEBRUARY 4, 1979 TO FEBRUARY 9, 1979, INCLUSIVE.

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RESOLVED, that the recommendation of the Chief of Police that Sergeant Hulsey, Intelligence-Gang Task Force, be detailed to attend the Specialized Surveillance Equipment Training Course at Sacramento, California, from February 4, 1979 to February 9, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Sergeant Hulsey, Intelligence-Gang Task Force, in a sum not to exceed \$234.00, will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

RESOLUTION NO. 27-79

AUTHORIZING ATTENDANCE OF CHIEF OF POLICE CHARLES R. GAIN, AT A MEETING OF THE SACRAMENTO VALLEY DIVISION LEAGUE OF CALIFORNIA CITIES, IN OROVILLE, CALIFORNIA, ON JANUARY 19, 1979

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RESOLVED, that the recommendation of the Chief of Police that Charles R. Gain, Chief of Police, be detailed to attend a Meeting of the Sacramento Valley Division League of California Cities, in Oroville, California, on January 19, 1979, be, and the same is hereby approved.

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

RESOLUTION NO. 28-79

AUTHORIZING ATTENDANCE OF SERGEANT JAMES E. BELL, NORTHERN STATION AND POLICE OFFICER ROGER C. BENTLEY,



- 36 -  
MISSION STATION, AT THE SELF DEFENSE AND ARREST  
TECHNIQUES INSTRUCTORS' COURSE AT SANTA ROSA,  
CALIFORNIA, FROM JANUARY 22, 1979 TO FEBRUARY 2,  
1979, INCLUSIVE.

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RESOLVED, that the recommendation of  
the Chief of Police that Sergeant James B. Hall,  
Northern Station, and Police Officer Edgar Springer,  
Mission Station, be detailed to attend the Self  
Defense and Arrest Techniques Instructors' Course  
at Santa Rosa, California, from January 22, 1979  
to February 2, 1979, inclusive, be, and the same  
is hereby approved; and be it further

RESOLVED, that the expenses incurred  
by Sergeant James B. Hall, Northern Station, and  
Police Officer Edgar Springer, Mission Station,  
in a sum not to exceed \$417.00 each, will be de-  
frayed by the Police Department's Police Officers'  
Training Fund.

AYES: Commissioners Murphy, Toler, Higgins

NOT VOTING: Commissioners Ciani, Sanchez

#### CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain stated that he had no report tonight but  
responded to Commissioner Murphy's question in re-  
gard to the letter the Chief sent to the Commission  
advising that the SFPD had entered into negotiations  
with Treasure Island to acquire building No. 27 for  
police department training purposes. She wanted to  
know what happened in the negotiations for obtaining  
the Fremont School facilities.

Chief Gain stated that that matter was still being  
entertained but because of the cost, an evaluation  
of other facilities was being considered and they  
are now finding out whether the facilities at T.I.,  
can be used. He stated that they had gone to Treas-  
ure Island and found a building that had 30 class-  
rooms which would be adequate for the Department's  
needs and it would be available for and the annual  
cost of utilities, in addition to normal maintenance  
to refurbish the building which would be about \$200,  
000 dollars a year. But, he stated, Fremont would  
cost \$200,000 yearly to refurbish also. He, he  
continued, what should be done now is negotiate  
with the military, lease the building on Treasure  
Island with 30 classrooms, ample parking, and the  
cost will be much less than that of Fremont School.

Commissioner Murphy then stated that in regard to  
another matter she had noted that the Department



had conducted an In-Service Child Abuse and Training Program in December and that she would be very interested when the Department has another, especially on anything to do with children's situations, because she would like very much to attend some of those sessions.

The Chief stated that this was put out with the approval of the Deputy Chief and he did not have knowledge of it, which was okay, because they did a good job, otherwise he stated, the Commission would have known about it. He stated that in the future he will have advance notice and the Commission will know about it also.

REQUEST TO AMEND PART III, SAN FRANCISCO MUNICIPAL CODE BY ADDING SECTION 300.1 THERETO RELATING TO COIN-OPERATED BILLIARD AND POOL TABLES.

Chief Gain stated that Deputy Chief Mullen would give the Commission an overview of the contents of this proposed amendment, which he did, after which the Commission adopted the following resolution:

RESOLUTION NO. 29-79

REQUEST TO AMEND PART III, SAN FRANCISCO MUNICIPAL CODE BY ADDING SECTION 300.1 THERETO RELATING TO COIN-OPERATED BILLIARD AND POOL TABLES.

WHEREAS, the Police Department is the issuing authority, under Section 99 of the Municipal Code, Part III, for permits for billiard and pool tables; and

WHEREAS, Section 310 of the Municipal Police Code prohibits minors from playing billiard or pool; and

WHEREAS, coin-operated billiard and pool tables are currently licensed and regulated in accordance with Section 300-326, inclusive, of the Municipal Code, Part III; and

WHEREAS, it is not the intent of the San Francisco Police Department to allow for the playing of billiards and pool by minors, except in accordance with Section 310.1 of the Municipal Police Code which provides for the licensing of





family recreation centers; therefore be it

RESOLVED, that the below proposed ordinance adding Section 300.1 to the Municipal Code, Part III, alleviating the inconsistency in the licensing of billiard and pool tables, is hereby transmitted to the Board of Supervisors for adoption, via the City Attorney's Office, who must approve it as to form.

AMENDING PART III, SAN FRANCISCO MUNICIPAL CODE BY ADDING SECTION 300.1 THERETO RELATING TO COIN-OPERATED BILLIARD AND POOL TABLES.

BE IT ORDAINED BY THE PEOPLE OF THE CITY AND COUNTY OF SAN FRANCISCO:

SECTION 1, Part III, Article 4 of the San Francisco Municipal Code is hereby amended by adding Section 300.1 thereto reading as follows:

"Sec. 300.1 Billiard and Pool Tables Excepted. Sections 300 through 326, inclusive, of this code shall not apply to coin-operated billiard, pool or combination tables. All such tables are subject to the licensing provisions of this code in accordance with Section 99 and the provisions of Section 510 and 510.1, Article 8, Chapter VIII (Police Code) Part II of the San Francisco Municipal Code."

AYES: Commissioners Murphy, [redacted], [redacted].

NOT VOTING: Commissioners [redacted], [redacted].

RESOLUTION NO. 39-79

SUPPLEMENTAL REAPPROPRIATION OF THE POLICE AND ASSISTANT INSPECTORS CURRENTLY EMPLOYED AT SEPARATE CLASSIFICATIONS INTO 1 COMBINED CLASSIFICATION

RESOLVED, that the Police Commission be and



approves a supplemental reappropriation which reclassifies 266 Inspectors and Assistant Inspectors positions in 4 separate lines in the Police budget to 266 Inspectors/Assistant Inspectors positions in 1 line. No additional funds are required for the reclassification.

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

At this time Commissioner Murphy inquired as to whether a resolution from the Commission is required for the CCO as an addendum to the Budget, and if so, when must it be presented for approval.

Chief Gain stated a resolution from the Commission would be necessary for added increments which are now prepared and may be submitted to the Commission as an agenda item on the 24th, however, he stated, he had received a communique from the Mayor's Office stating that Departments could prepare additional budget request, but it was not clear as to whether they are to be submitted, approved by Commissions at this time or what is to happen. He stated that he would get a clarification on it tomorrow, but the material is ready and when it is submitted, the Commission can direct by resolution that Staff so as the Commissioner suggest, add the CCO and the Muni Transit or whatever the Commission desires.

Commissioner Murphy then added that those were the two items that she was mostly concerned about.

RESOLUTION NO. 31-79

SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$5,623.72 TO FUND THE PURCHASE OF THREE SEPARATE ITEMS OF EQUIPMENT.

RESOLVED, that the Police Commission hereby approves a Request for Supplemental Appropriation in the amount of \$5,623.72 for the purpose of purchasing equipment for the Property Control Section.

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez





RESOLUTION NO. 32-79

SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF  
\$12,519.00 TO RECLASSIFY AN ATTORNEY POSITION

RESOLVED, that the Police Commission hereby approves the request for a supplemental appropriation in the amount of \$12,519.00 which will reclassify one vacant position in Class 8178, Senior Attorney, to the entrance level Class 8174 Attorney.

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

RECEIPT OF PROPOSED DEPARTMENT GENERAL ORDER ON  
ENVIRONMENTAL CONTROL OFFICERS. (COPIES SENT TO  
EMPLOYEE ORGANIZATIONS) - CONTINUED TO THE MEET-  
ING OF JANUARY 31, 1979

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

RECEIPT OF PROPOSED DEPARTMENT GENERAL ORDER 1-2  
CHARGING VIOLATIONS OF PROBATION OF PAROLE -  
(COPIES SENT TO EMPLOYEE ORGANIZATIONS) - CONTINUED  
TO THE MEETING OF JANUARY 31, 1979.

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

RECEIPT OF PROPOSED DEPARTMENT GENERAL ORDER 1-2  
VICTIMS OF VIOLENT CRIME NOTIFICATIONS. (COPIES  
SENT TO EMPLOYEE ORGANIZATIONS) - CONTINUED TO  
THE MEETING OF JANUARY 31, 1979

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez



RESOLUTION NO. 33-79

POLICE OFFICER ROBBIE E. CORLEY, CENTRAL POLICE STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Robbie E. Corley, Central Police Station, as follows:

SPECIFICATION NO. 1

Striking a Prisoner Without Lawful Cause or Excuse. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department)

SPECIFICATION NO. 2

Failure to Answer Truthfully and Without Evasion Questions Propounded. (Violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department.)

by Charles R. Gain, Chief of Police; therefore be it

RESOLVED, that the hearing before the Police Commission on charges filed against Police Officer Robbie E. Corley, Central Police Station, be, and the same is hereby set for Wednesday, January 31, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Murphy, Coler, Siggins

NOT VOTING: Commissioner ...

RESOLUTION NO. 34-79

POLICE OFFICER GARY L. ...

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Gary L. ..., Central Police Station, as follows:



SPECIFICATION NO. 1

Unlawful Arrest of a Civilian.  
(Violation of Section 2.13 of  
the Rules and Procedures of the  
San Francisco Police Department.)

SPECIFICATION NO. 2

Striking a Prisoner Without Lawful  
Cause or Excuse. (Violation of Sec-  
tion 2.13 of the Rules and Procedure  
of the San Francisco Police Depart-  
ment.)

SPECIFICATION NO. 3

Failure to Answer Truthfully and  
Without Evasion Questions Presented.  
(Violation of Section 2.49 of the  
Rules and Procedures of the San Fran-  
cisco Police Department.)

by Charles R. Gain, Chief of Police; therefore  
be it

RESOLVED, that the hearing before the  
Police Commission filed against Police Officer  
Gary L. Dixon, Central Police Station, be, and  
is hereby set for Wednesday, January 31, 1979  
at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

REPORT UPON THE HEARING

REPORT UPON THE HEARING

WHEREAS, charges of violation of the  
Rules and Procedures of the San Francisco Police Depart-  
ment were filed against Lieutenant [Name],  
Central Police Station, as follows:





SPECIFICATION NO. 1

Neglect of Duty. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Failure to Take Interview of Witnesses to Alleged Improper Conduct of Police Officers Under His Command. (Violation of Section 2.177 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Failure to Answer Truthfully and Without Evasion Questions Propounded. (Violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department)

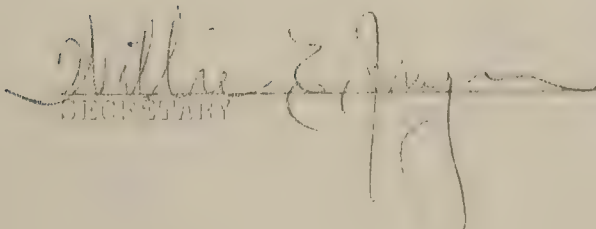
by Charles R. Gain, Chief of Police; in before the

RESOLVED, that the hearing before the Police Commission on charges filed against Lieutenant Robert M. Forni, Central Police Station, be, and the same is hereby set for Wednesday, January 31, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Murphy, Toler, Higgins

NOT VOTING: Commissioners Ciani, Sanchez

The Commission then adjourned  
1842 hours.

  
SECRETARY



24 JANUARY 1979

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their Chamber, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, January 24, 1979 at 1730 hours in regular session.

PRESENT: Commissioners Ciani, Murphy, Connelley, Toler

ABSENT: Commissioner Siggins

MAR 9 1978

Commissioner Ciani presiding.

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RECOMMENDATIONS OF THE TRAFFIC BUREAU

MANSION HOTEL - 2220 Sacramento Street.

Officer Hardeman of the Traffic Survey Department stated that at last week's meeting the Commission had instructed him to make a further investigation with the City Planning Commission concerning the legality of the operation of the Mansion Hotel at 2220 Sacramento Street. He stated that the report the Commission had before them is the result of that investigation.

Commissioner Ciani then stated that under the circumstances perhaps it should be carried off calendar.

Commissioner Murphy stated that she didn't think that would be necessary because the Commission's decision in the matter was that the Mansion Hotel would any confirmation of the Mansion Hotel's status zone until they learned the exact nature of the situation.

Officer Hardeman stated that the Commission's investigation, as far as the Mansion Hotel is concerned, it is legal for the Mansion Hotel to operate in the R2 zone. He stated that there was no indication that the Board of Supervisors as to whether they had an ordinance ready or not. He stated that one of their committee hearings had been held, and he stated, the Planning Commission believed that they were very much against it for the simple fact that they couldn't change an R2 zoning in one day without changing the whole law and that it would be the door for any hotel with five floors to be able to operate in an R2 zoning area. He stated that the



that the Planning Commission had turned the matter over to the City Attorney for enforcement because they were not able to handle it administratively up to this point.

Commissioner Ciani then stated that if that motion was passed on the assumption that they were then operating legally then it would be a fact that the Commission should reconsider that action and either disapprove it or carry it off calendar so that they (The Mansion Hotel) could re-apply within the next year.

Commissioner Murphy then made a motion to disapprove the Commission's action to establish a white zone in front of 2220 Sacramento Street until it is established by law that they are operating legally as a hotel, and to carry the matter off-calendar.

This motion was seconded by Commissioner Toler and unanimously passed.

In the matter of Van Ness Imports, an automobile dealership, Mr. William Nolan appeared and presented his views as to why his request for a red zone in front of 1350 Van Ness Avenue and removal of Meter VAN 1326 should be granted.

After listening to his testimony and to Officer Harman who represented the Police Department, the Commission upheld the Department's recommendation to deny this request.

#### RECOMMENDATIONS OF THE PLANNING COMMISSION

#### 3166-24th STREET - EL GALLEGO

- a) At 3166-24th Street, install a red zone, extending from 11' to 15' of west property line.





- b) SIGN SHOP - Place sign on met . . .  
Parking only after 5P.M."

2157 CLEMENT STREET - OLYMPIC SAVING

- a) At 2157 Clement Street, install a 22'  
green zone, extending from north prop-  
erty line 22' south of same.

302-23rd AVENUE - OLYMPIC SAVING

- a) At 302-23rd Avenue, install a 22' green  
zone, extending from 10' to 32' west  
of east property line.

300 SENECA - SAN MIGUEL CHILDREN CENTER

- a) At 300 Seneca, install a 22' white zone,  
extending from 6' to 28' west of cross-  
walk of Delano and Seneca.

745 O'FARRELL STREET - GRIFFIN CLEANER - DENIED

- a) At 745 O'Farrell Street, install a 21'  
yellow zone, extending from west building  
line 21' east of same. DENIED
- b) Revoke 21' green zone west of building  
line 21' east. DENIED

1350 VAN NESS AVENUE - VAN NESS IMPORTS - DENIED

- a) At 1350 Van Ness Avenue, install an 18'  
red zone, extending from 16' to 34' west  
of north building line. DENIED
- b) Remove Heron 111 18' red zone. DENIED

646-7th AVENUE - FARMER'S MARKET

- a) At 646-7th Avenue, install a 22' white  
zone, extending from 10' to 66'  
north of south property line.
- b) Leave indented white zone.

AYES: Comptroller of Public Works, City of San Francisco

NOT VOTED: Comptroller of Public Works, City of San Francisco



REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of the use of green, white and yellow zones, at the corners of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Murphy, Sanchez, Tolson, Ciani

NOT VOTING: Commissioner Siggins

RESOLUTION NO. 36-79

JAMES C. FLAGG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James C. Flagg against the City and County of San Francisco in the sum of \$20.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 14, 1978

AYES: Commissioners Murphy, Sanchez, Tolson, Ciani

NOT VOTING: Commissioner Siggins

RESOLUTION NO. 37-79

MARGARET R. HILL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Margaret R. Hill against the City and County of San Francisco in the sum of \$20.50 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: March 17, 1978

AYES: Commissioners Murphy, Sanchez, Tolson, Ciani

NOT VOTING: Commissioner Siggins



RESOLUTION NO. 38-79

GERALD MCDONOUGH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Gerald McDonough against the City and County of San Francisco in the sum of \$20.00 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: October 17, 1978

AYES: Commissioners Murphy, Sanchez, Tolson,  
Ciani

NOT VOTING: Commissioner Signer

RESOLUTION NO. 39-79

ROBERT NORWOOD

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert Norwood against the City and County of San Francisco in the sum of \$20.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 31, 1978

AYES: Commissioners Murphy, Sanchez, Tolson,  
Ciani

NOT VOTING: Commissioner Signer

RESOLUTION NO. 40-79

EDWIN E. RILEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Edwin E. Riley against the City and County of San Francisco in the sum of \$20.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 15, 1978

AYES: Commissioners Murphy, Sanchez, Tolson,  
Ciani

NOT VOTING: Commissioner Signer





RESOLUTION NO. 41-78

ROBYN LYNN KLEINMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robyn Lynn Kleinman against the City and County of San Francisco in the sum of \$97,300 as the result of a traffic tow, be, and the same is hereby approved.

Date of Incident: October 7, 1978

AYES: Commissioners Murphy, Sanchez, Toler, Ciani

NOT VOTING: Commissioner Siggins

RESOLUTION NO. 42-79

JACK MOLDT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jack Moldt against the City and County of San Francisco in the sum of \$2,048.15 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: September 27, 1978

AYES: Commissioners Murphy, Sanchez, Toler, Ciani

NOT VOTING: Commissioner Siggins

CA. LORNA WILSON  
RESOLUTION NO. 43-79

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lorna Wilson against the City and County of San Francisco in the sum of \$1,067.57 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: June 22, 1978

AYES: Commissioners Murphy, Sanchez, Toler, Ciani

NOT VOTING: Commissioner Siggins



- 50 -  
RESOLUTION NO. 44-78

CALIFORNIA STATE AUTOMOBILE  
ASSOCIATION (ROBERT P. LEE)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the California State Automobile Association, Robert P. Lee, against the City and County of San Francisco in the sum of \$237.72 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: July 4, 1978

AYES: Commissioners Murphy, Sanchez, Volar, Ciani

NOT VOTING: Commissioner Sigin

RESOLUTION NO. 45-79

AUTHORIZING ATTENDANCE OF SERGEANT MARIO BUSALACCHI AND OFFICER JOSEPH PIERALDE, VICE CRIMES, AT THE GAMBLING FRAUD INSTITUTE AT ANAHEIM, CALIFORNIA, FROM FEBRUARY 19, 1979 TO FEBRUARY 22, 1979, INCLUSIVE

RESOLVED, that the recommendation of the Chief of Police that Sergeant Mario Busalacchi and Police Officer Joseph Pieralde, Vice Crimes, be detailed to attend the Gambling Fraud Institute at Anaheim, California, from February 19, 1979 to February 22, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses of Sergeant Mario Busalacchi and Officer Joseph Pieralde, Vice Crimes, in attending the Gambling Fraud Institute, will be defrayed by the City of San Francisco.

AYES: Commissioners Murphy, Sanchez, Volar, Ciani

NOT VOTING: Commissioner Sigin

RESOLUTION NO. 46-79

AUTHORIZING ATTENDANCE OF ALAN S. ...  
FEDERAL, OFFICE OF ...  
THE VIDEO EXPO '79 IN SAN FRANCISCO



FROM FEBRUARY 20, 1979 TO FEBRUARY 22, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Assistant Inspector John Brunner, Support Services, Photo Laboratory, be detailed to attend the Video Expo '79 in San Francisco, California, from February 20, 1979 to February 22, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Assistant Inspector John Brunner, Support Services, Photo Laboratory, in a sum not to exceed \$115.00 will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Murphy, Chambers, Leter, Ciani

NOT VOTING: Commissioner Nigro

RESOLUTION NO. 47-79

AUTHORIZING ATTENDANCE OF 70 (SEVENTY) SERGEANTS AT A MANDATED TRAINING COURSE AT CITY COLLEGE IN SAN FRANCISCO, CALIFORNIA, FROM FEBRUARY 19, 1979 TO MARCH 2, 1979, MARCH 19, 1979 TO MARCH 30, 1979, AND APRIL 30, 1979 TO MAY 11, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that 70 (Seventy) Sergeants be detailed to attend a mandated training course at City College, in San Francisco, California, from February 19, 1979 to March 2, 1979, March 19, 1979 to March 30, 1979, and April 30, 1979 to May 11, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by 70 (Seventy) Sergeants in attending the mandated training course at City College, in San Francisco, California, from February 19, 1979 to March 2, 1979, March 19, 1979 to March 30, 1979, and April 30, 1979 to May 11, 1979, inclusive, be, and the same is hereby approved; and be it further

AYES: Commissioners Murphy, Chambers, Leter, Ciani

NOT VOTING: Commissioner Nigro





RESOLVED, that the expenses incurred by 90 (ninety) Field Training Officers in a sum not to exceed \$11,600.00, will be defrayed by the Police Department's Police Officers' Training Fund.

NOT VOTING: Commissioner J. L. ...

POLICE COMMISSION CONSIDERATION AND ACTION OF  
REVISED CONSENT DECREE IN OFFICERS  
ET AL., PLAINTIFFS" LAWSUIT.



Mr. Killelea stated that the City Attorney had forward to the Commission an Appropriation and Authorization Ordinance concerning the Decree and an appropriation of funds to support the Decree and asked that the Commission authorize the Secretary of the Police Commission to sign that Ordinance on behalf of the Police Commission.

Commissioner Ciani asked for a second to that motion which was then made by Commissioner Tolson and unanimously approved.

The Commission then adopted the following resolution. (NOTE: This Consent Decree along with earlier drafts are on file in the Office of the Police Commission.)

RESOLUTION NO. 49-79

POLICE COMMISSION CONSIDERATION AND ADOPTION OF REVISED CONSENT DECREE IN OFFICERS FOR JUSTICE ET AL., PLAINTIFFS' LAWSUIT.

RESOLVED, that the Police Commission does hereby approve the Officers for Justice, et al., Plaintiffs, vs. Civil Service Commission of the City and County of San Francisco, "Consent Decree," Revised Consent Decree.

AYES: Commissioners Murphy, Sanchez, Tolson, Ciani

NOT VOTING: Commissioner Sigg

RESOLUTION NO. 50-79

FAILURE OF OFFICER ROBERT J. BROWN, JR.

and Proceeding in the Matter of the Estate of Robert J. Brown, Jr., deceased, et al., Plaintiffs, vs. the City and County of San Francisco, et al., Defendants.

SPECIAL ORDER NO. 1

Failure to Maintain Confidentiality  
(Violation of Section 1.10 of the  
Rules and Procedures of the Police  
Commission)



SPECIFICATION NO. 2

Leaving Police Vehicle Unattended.  
(Violation of Section 2.49 of the Rules  
and Procedures of the San Francisco  
Police Department.)

SPECIFICATION NO. 3

Failure to Truthfully Answer. (Vio-  
lation of Section 2.49 of the Rules  
and Procedures of the San Francisco  
Police Department.)

by Charles R. Gain, Chief of Police, therefore be  
it

RESOLVED, that the hearing before the  
Police Commission on charges filed against Police  
Officer Herbert Marks, Taraval Police Station, be,  
and the same is hereby set for Wednesday, February  
7, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Murphy, Sandoval, Ciani,  
Ciani

NOT VOTING: Commissioner [illegible]

RESOLUTION NO. 51-79

SERGEANT CHARLES C. GALE, SUPPORT SERVICES-RECORDS  
DIVISION

WHEREAS, charges of violation of the Rules  
and Procedures of the San Francisco Police Depart-  
ment were filed against Sergeant Charles C. Gale,  
Support Services-Records Division,

SPECIFICATION NO. 1

Failure to [illegible]  
prevent [illegible]  
offenders and [illegible]  
cases. (Violation of Section 2.49 of  
the Rules and Procedures of the San  
Francisco Police Department.)





SPECIFICATION NO. 2

Commission of a Violation of Penal Law of the United States of America. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Failure to Preserve the Peace, Prevent Crime, Detect and Arrest Offenders and Enforce All Criminal Laws. (Violation of Section 2.03 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 4

Commission of a Violation of Penal Law of the United States of America. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 5

Failure to Preserve the Peace, Prevent Crime, Detect and Arrest Offenders and Enforce All Criminal Laws. (Violation of Section 2.03 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 6

Commission of a Violation of Penal Law of the United States of America. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

Attest: Charles E. Cain, Chief of Police, San Francisco Police Department  
it

RECEIVED, SAN FRANCISCO  
Commission on Support Services-Records  
C. Gale, Support Services-Records  
the same is hereby set for Wednesday, July 1, 1964  
at 1:30 p.m., in Room 111, Hall of Justice

AYES: Commissioner of the Board of Supervisors, 1964  
01681

NOT VOTING: \_\_\_\_\_



PERMITS NO. 93-71

SERGEANT JOSEPH J. CUNEO, SUPPORT SERVICES-RECORDS DIVISION

WHEREAS, charges of violation of the Rules and Procedures of the San Francisco Police Department were filed against Sergeant Joseph J. Cuneo, Support Services-Records Division, as follows:

SPECIFICATION NO. 1

Failure to Preserve the Peace, Prevent Crime, Detect and Arrest Offenders and Enforce All Criminal Laws. (Violation of Section 2.03 of the Rules and Procedure of the San Francisco Police Department.)

SPECIFICATION NO. 2

Commission of a Violation of Federal Law of the United States of America. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Failure to Preserve the Peace, Prevent Crime, Detect and Arrest Offenders and Enforce All Criminal Laws. (Violation of Section 2.03 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 4

Failure to Preserve the Peace, Prevent Crime, Detect and Arrest Offenders and Enforce All Criminal Laws. (Violation of Section 2.03 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 5

Failure to Preserve the Peace, Prevent Crime, Detect and Arrest Offenders and Enforce All Criminal Laws. (Violation of Section 2.03 of the Rules and Procedures of the San Francisco Police Department.)



SPECIFICATION NO. 6

Commission of a Violation of the  
Laws of the United States of America  
and the State of California. (Violation  
of Section 2.13 of the Rules  
and Procedures of the San Francisco  
Police Department.)

by Charles R. Gain, Chief of Police; therefore  
be it

RESOLVED, that the hearing before the  
Police Commission on charges filed against Sergeant  
Joseph J. Cuneo, Support Services-Records Division,  
be, and the same is hereby set for Wednesday, Febru-  
ary 7, 1979 at 5:30 p.m., in Room 401, Hall of  
Justice.

AYES: Commissioners Murphy, Sanchez, Teter,  
Ciani

NOT VOTING: Commissioner Sisti

RESOLUTION NO. 52-79

POLICE OFFICER ALBERT J. O'KEEFE, SUPPORT SERVICES-  
COMMUNICATIONS

WHEREAS, charges of violating the Rules  
and Procedures of the San Francisco Police Depart-  
ment were filed against Police Officer Albert J.  
O'Keefe, Support Services-Communications, as follows:

SPECIFICATION NO. 1

Failure to follow the Rules  
and Procedures of the San Francisco  
Police Department. (Violation of  
Section 2.13 of the Rules and  
Procedures of the San Francisco  
Police Department.)

SPECIFICATION NO. 2

Commission of a Violation of the  
Laws of the United States of America  
(Violation of Section 2.13 of the  
Rules and Procedures of the San  
Francisco Police Department.)





SPECIFICATION NO. 3

Failure to Preserve the Peace, Prevent Crime, Detect and Arrest Offenders and Enforce All Criminal Laws. (Violation of Section 2.03 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 4

Commission of a Violation of a Penal Law of the United States of America. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 5

Failure to Preserve the Peace, Prevent Crime, Detect and Arrest Offenders and Enforce All Criminal Laws. (Violation of Section 2.03 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 6

Commission of a Violation of Penal Laws of the United States of America. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

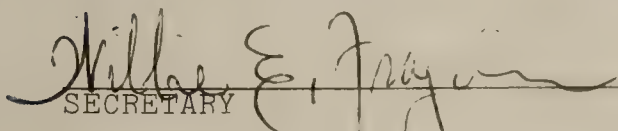
by Charles R. Gain, Chief of Police; therefore be it

RESOLVED, that the hearing before the Police Commission on charges filed against Police Officer Albert J. O'Keefe, Support Services-Communications, be, and the same is hereby set for Wednesday, February 7, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Murry, Sanchez, Coler, Ciani

NOT VOTING: Commissioner Higgins

The Commission then adjourned its meeting at 1831 hours.

  
SECRETARY



5. JANUARY 1978

The Police Commission of the County of San Francisco met in Room 551, Hall of Justice, on Wednesday, January 31, 1978 at its regular session.

PRESENT: Commissioners: Amini, Toler, Siggins.

Commissioner Siggins presiding.

MAR 9 1978

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PRESENTATION OF THE MEDAL OF VALOR AND CERTIFICATES

Commissioner Siggins: "I will represent the Police Commission because I am the member of the Commission who chaired the last committee meeting. As I have said before, I think that this is the happy hour as far as the Commission is concerned, when we can meet with the people who won the awards after an analysis of their acts of bravery by some hardened Civil Service Captains who are tough in the examination of these officers both for Bronze, Silver and Gold Medals. I have chaired the meetings in the past and I have gone over other awards presentations and it is my feeling that this last meeting, and I reported this to the Commission when we submitted these names for our nomination, and I felt that there were more hardened criminal and more sexual deviates and more parole violators that were taken off the streets of San Francisco and forced to undergo the consequences of their acts by the deeds of these people, the men and women, that we are honoring tonight. So, on behalf of the entire commission, I want to extend my congratulations to all of these officers who won Gold, Silver and Bronze Medals and also Meritorious Certificates. These officers will be recognized by the Medal of Valor and the Meritorious Certificate as being the finest officers in the police department. I want to extend my congratulations to all of these officers who were honored at a time when, I think, we could have been doing other work, that I think we were just true heroes that were on behalf of the whole community and that they always remind the public that there is a man or woman who is a hero and the community proper and we will not let them down."



The presentation of the following:

Lieutenant William C. Scheffler.....  
Police Officer James S. Leach.....  
Lieutenant William C. Scheffler.....  
Police Officer James S. Leach.....  
Police Officer Joseph K. Allegro.....Silver Medal  
Police Officer Roger W. Liljedahl.....Silver Medal  
Police Officer Allyn T. Luoma.....Silver Medal  
Police Officer Anthony E. Rodriguez.....Silver Medal  
Police Officer Edward M. Rodriguez.....Silver Medal  
Police Officer Daniel J. Hallisy....Silver Medal  
Police Officer Marion D. Jackson....Silver Medal  
Police Officer Bill J. Maring.....Silver Medal  
Police Officer Michael A. Lujan.....Silver Medal  
Sergeant Lawrence A. Price.....Bronze Medal  
Police Officer Allan C. Duncan.....Bronze Medal  
Police Officer Willa M. Brown.....Bronze Medal  
Police Officer Richard M.  
Huddleston.....Bronze Medal  
Housing Police Officer Frank  
Scalise.....Bronze Medal  
Housing Police Officer Robert Lee...Bronze Medal  
Sergeant Donald R. Blaine.....Bronze Medal  
Police Officer Frank B. Lutticken...  
Police Officer Robert A. Leach.....  
Police Officer Robert A. Leach.....  
Lieutenant William C. Scheffler.....  
Inspector James S. Leach.....  
Inspector Marvin.....  
Inspector Stephen C. Hall.....  
Police Officer Daniel J. Hallisy.....  
Police Officer James S. Leach.....





Assistant Patrol Captain [illegible]

Mark Pappas.....[illegible]

Police Officer Robert E. Barry.....[illegible]

Police Officer Croce A. Cassia.....[illegible]

Commissioner Sirlin: "The recent election of Officers Barry and Cassia, the first recipients of Meritorious Certificates, also have the congratulations of the entire Police Commission on their election to the Offices in the San Francisco Police Officers' Association. We look forward to working with them on the various problems that face the city from time to time and let's see if we can untangle some of the problems with their help. Thank you."

#### RECOMMENDATIONS OF THE TRAFFIC BUREAU

##### 699 Castro Street.

Mrs. Anesti Audeh appeared and presented a petition in behalf of her request for a 22 foot yellow zone in front of her grocery store at 699 Castro Street. The department had recommended a denial of her request.

The Commission, after listening to testimony from Mrs. Audeh and Officer Hardeman of the Traffic Survey Division, overruled the Department's recommendation for denial and granted the applicant's request.

#### RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of [illegible] regulation of traffic on the public [illegible], and the same are hereby approved:

##### AT THE [illegible] [illegible]

- a) At approximately 998 Treat, in [illegible] yellow zone, extending from [illegible] line 60' south of [illegible].

##### 699 CASTRO STREET - [illegible]

- a) At 699 Castro Street, in [illegible] zone, extending from [illegible] 22' north of [illegible].



1013 TARAVAL STREET - 1 mi. E. of City

- a) At 1013 Taraval Street, revoke existing 44' yellow zone, extending from building line 44' west of curb.

1701 MISSION STREET - SPRECKELS MILL

- a) At 1701 Mission Street, revoke existing 20' white zone, extending from 115' to 135' south of 13th Street.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of all part of white and yellow zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 55-79

MICHAEL J. SULLIVAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Michael J. Sullivan against the City and County of San Francisco in the sum of \$47.93 be, and the same is hereby sustained, be, and the same is hereby approved.

Date of Incident: April 1, 1979

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 56-79

SUSAN R. SCHOLSKY

RESOLVED, that the



City Attorney for settlement of the claim of Susan H. Schumacher against the City and County of San Francisco in the sum of \$10.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 11, 1977

AYES: Commissioners Ciani, Siggins, Toler, Siggins

RESOLUTION NO. 57-79

SAMUEL H. ANGULO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Samuel H. Angulo against the City and County of San Francisco in the sum of \$10.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: June 9, 1978

AYES: Commissioners Ciani, Siggins, Toler, Siggins

RESOLUTION NO. 58-79

JAMES G. WALKER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James G. Walker against the City and County of San Francisco in the sum of \$10.00 as the result of a collision with a city vehicle, be, and the same is hereby approved.

Date of Incident: November 11, 1977

AYES: Commissioners Ciani, Siggins, Toler, Siggins





- 4 -

RESOLUTION NO. 60-79

MARVIN W. RAWLEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Marvin W. Rawley in the sum of \$10,000.00 in Superior Court Action No. 79-10000, "Marvin W. Rawley vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 13, 1978

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 54-79

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Deputy Chief Jeremiah)	\$417.00	(At the Executive
P. Taylor )		(Development Course
Field Operations )		(at San Rafael, Cal-
		(ifornia, from Jan-
		(uary 7, 1979 to Jan-
		(uary 10, 1979, inclu-
		(sive.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 55-79

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:



Lieutenant Richard D.) \$  
Klapp )  
Personnel & Training )

(in Sacramento, California,  
January 17, 1979, inclusive,  
for training course)

AYES: Commissioners Ciani, Marrin, Sanchez,  
Toler, Siggins

RESOLUTION NO. 61-79

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense  
Voucher submitted by the following-named officers  
of the Police Department for expenses incurred  
in attending the below-indicated program, etc.,  
and the same is hereby approved:

Police Officer Daniel Marr, ) \$400.00 (in Sacramento,  
Narcotics Unit ) each (California, from  
) (January 7, 1979  
Police Officer Michael Norman,) (to January 19,  
Narcotics Unit ) (1979, inclusive.

AYES: Commissioners Ciani, Marrin, Sanchez,  
Toler, Siggins

RESOLUTION NO. 62-79

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense  
Voucher submitted by the following-named  
officer of the Police Department for expenses incurred  
in attending the below-indicated program, etc.,  
and the same is hereby approved:

Officer (Name) )  
Crime Laboratory )

AYES: Commissioners Ciani, Marrin, Sanchez,  
Toler, Siggins



RESOLVED, that the expenses incurred by Sergeant Robert Hulsey, Intelligence-Gang Unit, in a sum not to exceed \$234.00, will be charged to the Police Department's Police Officers' Training Fund.

CHIEF'S REPORT TO THE POLICE COMMISS...

Chief Gain: "Mr. President, members of the Commission, I gave a report to you which you received tonight regarding crime in San Francisco for the year 1978, which reflects in our monthly crime summary that for the year 1978 compared to 1977 we experienced a 1.5% decrease in the volume of serious crime. That 1.5% decrease in San Francisco is significant if we compare it with the experience of other major cities in California with the exception of Los Angeles which had a 2.3% decrease, Long Beach had a 6.8% increase, San Diego had a 1.1% decrease, Santa Ana had a 7% increase, Lancaster had a 1.1% decrease, and Palmdale had a 0.1% increase. Looking at the national picture, the specific numbers are not available, but the Bureau of the FBI reported that nationwide there was a 1.5% decrease in serious crime for the year 1978 as compared to 1977. As of the first quarter of 1979, the national picture has deteriorated, the rate of increase in serious crime for the first three months of 1979 is about 1.5%, which is higher than the 1.5% decrease reflected about a year ago. In fact, the trend appears then, that when the figures for 1979 appear, California will have a substantial decrease for the year 1978 as compared to 1977 from that perspective our 1.5% decrease is somewhat less than one. Now the last factor is the fact that wherein we still have a significant amount of





number of police personnel, in fact, with fewer numbers of police officers, achieve as best we can a continuing reduction in crime, and we are dedicated to that. If we can, and what will be required and we are now undertaking it, is to again analyze deployment of police personnel throughout the district stations, and in other units, so that we can insure to the extent that we can do it, that we will deploy police officers in high crime areas so as to achieve the greatest citizen safety that we can."

Commissioner Ciani: "I think the Department should be complimented for effecting this decrease in view of the low levels of personnel that we are operating with now. I think it is remarkable, and it is obvious that everybody is out there working to produce this kind of effect."

Chief Gain: "Your comments are certainly well taken, because if we look at the monthly crime summary, which is attached, which reflects the experience for the year, we will see increase in numbers of arrests, categories, increased clearances in so far as crimes cleared, and so on. So, certainly, the personnel of the police department are to be commended for the way in which they contributed to the safety of our citizens."

Commissioner Sanchez: "Through the chair, if I might just add a footnote to that, I just wonder if perhaps at some point we might have some data showing the prevention area of law enforcement whereby now, as a city, maybe San Franciscans are more involved in contacting the police department as far as let's say 5 or 6 years ago. I believe there is more citizen involvement through a number of perhaps mechanisms through the department that probably have more citizen response now where as a number of years ago there might have been no response whatsoever. So again, I think it is all correlated with the quality of the people we have within the department and also the philosophy and the fact that we are involved in prevention, and also, basically, enforcement too. So I just want to add that as a footnote."

Chief Gain: "What we can and will do is to have a report on the accomplishment of the Project Life program, which is in effect for over two years and has had some substantial accomplishments, and I will have a report on that."

Commissioner Sigline: "Let me ask you a question, Laurens, we are still looking for... is that right?"



Chief Cain: "Absolutely, the Consent Decree has been signed by the Principal parties, and we are assuming it; its final implementation will be taken for granted now, we will start to put it into effect just this year commencing then, hiring 311 for the ensuing fiscal year and then hiring 311 for a total of about 631 additional police personnel within an approximate two year period. So, commencing with August of this year and for the ensuing two years, it's our goal to increase the department to 1971. We are programming for it and charting it all out so we will make sure, as in regards to the Consent Decree, that we will follow every single provision. What is going to be significant, and very significant for the citizens of San Francisco, is that as we get increasing numbers of personnel and particularly as we realize maximum strength of 1971, we will, in fact, make San Francisco dramatically more safe for our citizens. We will have the capability with that number of police personnel to assign a few hundred, literally 3 to 5 hundred, in high crime areas where they will not be tied up by radio assignments and we can impact them very dramatically in the Tenderloin, Hayes Valley, and all other areas of the city, as well as provide more foot patrolmen and visible police services in the Avenues and neighborhoods to make those areas safer. San Francisco will be increasing numbers of police personnel in the face of, or in spite of Proposition 13, when most California cities, as far as police personnel, are remaining stable in numbers or decreasing. The significance being, that we will, in fact, be arresting criminals here, those who will commit crime and do commit crime, we will be displacing crime outside the city of San Francisco. So the other cities and this is the name of the game, will bear the brunt if everything follows as I stated, and I think it will, more crime and we will have less. So the future for San Francisco as regards to citizens safety is a very rosy one as we get increasing numbers of personnel."

Commissioner Murphy: "Where is the money coming from to hire these additional persons?"

Chief Cain: "Well initially, money will come from our own police budget. We are going to be able to raise money through other sources. We are going to get more than that and when it comes to hiring officers next fiscal year, and if we are not able to do it, it is going to be the increase in the funding. And it may well be that we are going to be receiving more Federal funding. The Department is going to get more Federal funding, CETA funds, and all the other things that are going to be coming in. The police department is going to be paid for by the city. So it could be a combination of all of these things or Federal Funding or solely All of them. I think eventually. It will eventually be paid for. I think given the fact that we do have a high quality of police personnel, we will be able to handle it."



of crime and the perception of crime. As regards to that crime and their demand, statistically for more safety in police services, that they are going to be more than willing to pay the cost for police services as long as the police statistically provide them. Better roads, more safety and so on."

Commissioner Toler: "Through the year, the amount of increases do you anticipate for the next several years in regards to money?"

Chief Gain: "I haven't figured it out for you. What I mentioned was is that we do have monies in our personnel salary accounts now and some part of that will not be expended this fiscal year, it will be carried over then to fund next fiscal year, so I can't give you a dollar sign, I would only be hazarding a guess."

Commissioner Siggins: "At this time I think it would be appropriate to introduce to the Commission, although we already know them, the new incoming elected President of the Police Officers' Association, and the Vice President of the Police Officers' Association, I saw the new Treasurer here a little earlier tonight."

Robert Barry, President of the SFPOA: "Thank you very much Commissioner. I would like to say that I am very gratified to have been elected by the membership of the POA which includes most of the police officers in San Francisco. I think we have to make some provisions for a runoff in our Association so that I definitely have a mandate the next time that I run much more so than I did now. I look forward to the dialogue that is going to be created in this city with the elected and appointed officials, and with the Administration, I think we have a lot to work on and I am very excited about getting involved in that process. Thank you very much."





POA representatives, Bob and Paul Chignell, will be increasingly enhanced. Certainly there are going to be differences because they have no definite responsible positions to take and I have found that working with them over the past couple of years has been, in fact, an enjoyable experience and I would like in particular to comment on Officer Paul Chignell who has borne the brunt of being the POA representative who processes grievances. I commend him because he has seen 72 and 1/2% of the grievances for his sector. They have been valid grievances and I want to say most particularly, he has been objective in all of his dealings and has very well represented POA members and at the same time has in all of our meetings conducted himself in a very gentlemanly manner as we try to do. So, we have great compatible relationships, they have a job to do, we have a job to do, but as we have talked all of our jobs ultimately are services to citizens and safety to citizens and that is what POA is dedicated for and these gentlemen have demonstrated that over and over again."

Commissioner Siggins: "Thank you, Chief. Congratulations to Officer Chignell too."

REQUEST FOR SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$180,000.00 FOR NINE (9) BASTARD REPEATERS.

Chief Gain stated that Staff has submitted to the Commission a letter requesting and documenting a need for the repeaters. He said Muni will be going underground as planned now in July and there is definitely at this time a need. However, based upon further studies as stated, if the need is not there then the supplemental can be killed at the appropriate stage. He further stated that if we don't get it in the mill now and Muni does go into operation on 1 July, and we do need them, we will not have them.

Deputy Chief Marie Amato has indicated that the request, and in answering Commissioner Siggins' question regarding testing, stated that the testing will be done by the Engineering Department of the Department of Electricity and the testing will be done prior to the installation. He stated that the testing will be done by the Engineering Department and let the Police Department know the department operate in a coordinated fashion. He stated that so far it has been very difficult in talking to the Municipal Engineer regarding the testing because they have their contract for the testing out to a private contractor and the Police Department is not a part of the contract.

Commissioner Siggins: "Thank you, Chief. I will ask the Deputy to see that the testing is done."



other equipment that the Department is looking for the use of?

The Deputy then stated that this is what the Department is looking for and this is what the Chief brought out, that if we find that the testing starts with their system in use, that we don't need everything, that we will have to operate a stand-alone independent system, then we will attach ourselves to the main line with their consent.

Commissioner Murphy inquired as to if it had a potential, for example, a fire.

The Deputy, in response to this, stated that he and Chief Rose of the Fire Department have been working with the Department of Electricity in trying to coordinate this with the Muni Railway and have run into a great deal of difficulty because of a private contractor but he stated, as far as we can get an integrated system, we can work it out that we can talk to each other, if need be. He stated that they are primarily setting up for criminal activities which expresses mainly the planning areas and not so much as in the tunnels. He said that the Muni System will have a line that runs all the way through the tunnel which can pick up signals from the radios in the tunnel. He said the second part of it is not only communication in the tunnel but being able to communicate out from the tunnel to Headquarters for any criminal activity that has to be suppressed whenever we need assistance.

Commissioner Murphy then moved that the Commission adopt the following resolution:

RESOLUTION NO. 63-79

SUPPLEMENTAL APPROPRIATION TO THE BUDGET OF 1970 FOR NINE (9) BASE MOBILE REPEATERS.

RESOLVED, That the Commission approved a request for supplemental appropriation of the amount of \$130,000 for the purchase of nine base-mobile repeaters, to be used by the various sections of the Municipal Police Department, and become operational in July, 1970.

ATTEST: Commissioner Murphy, Mayor, Tolan, S. J. Tolan.



REQUESTING APPROVAL OF BE 1 AND BE 2  
ESTABLISHING (CODE 3) DRIVING PROCEDURES. (CONTINUED FROM THE MEETING  
NOVEMBER 15, 1978) - CONTINUED TO MARCH 14,  
1979

AYES: Commissioners Ciani, Murphy, Toler, Siggins

RESOLUTION NO. 64-79

PROPOSED DEPARTMENT GENERAL ORDER ON ENVIRONMENTAL CONTROL OFFICERS

RESOLVED, that the Police Commission hereby adopts the department general order describing the duties and responsibilities of Environmental Control Officers.

AYES: Commissioners Ciani, Murphy, Toler, Siggins

RESOLUTION NO. 65-79

PROPOSED DEPARTMENT GENERAL ORDER I-2 CHARGING VIOLATIONS OF PROBATION ON PAROLE.

RESOLVED, that the Police Commission hereby approves and adopts General Order I-2, Charging Violations of Probation on Parole as permanent department policy.

AYES: Commissioners Ciani, Murphy, Toler, Siggins

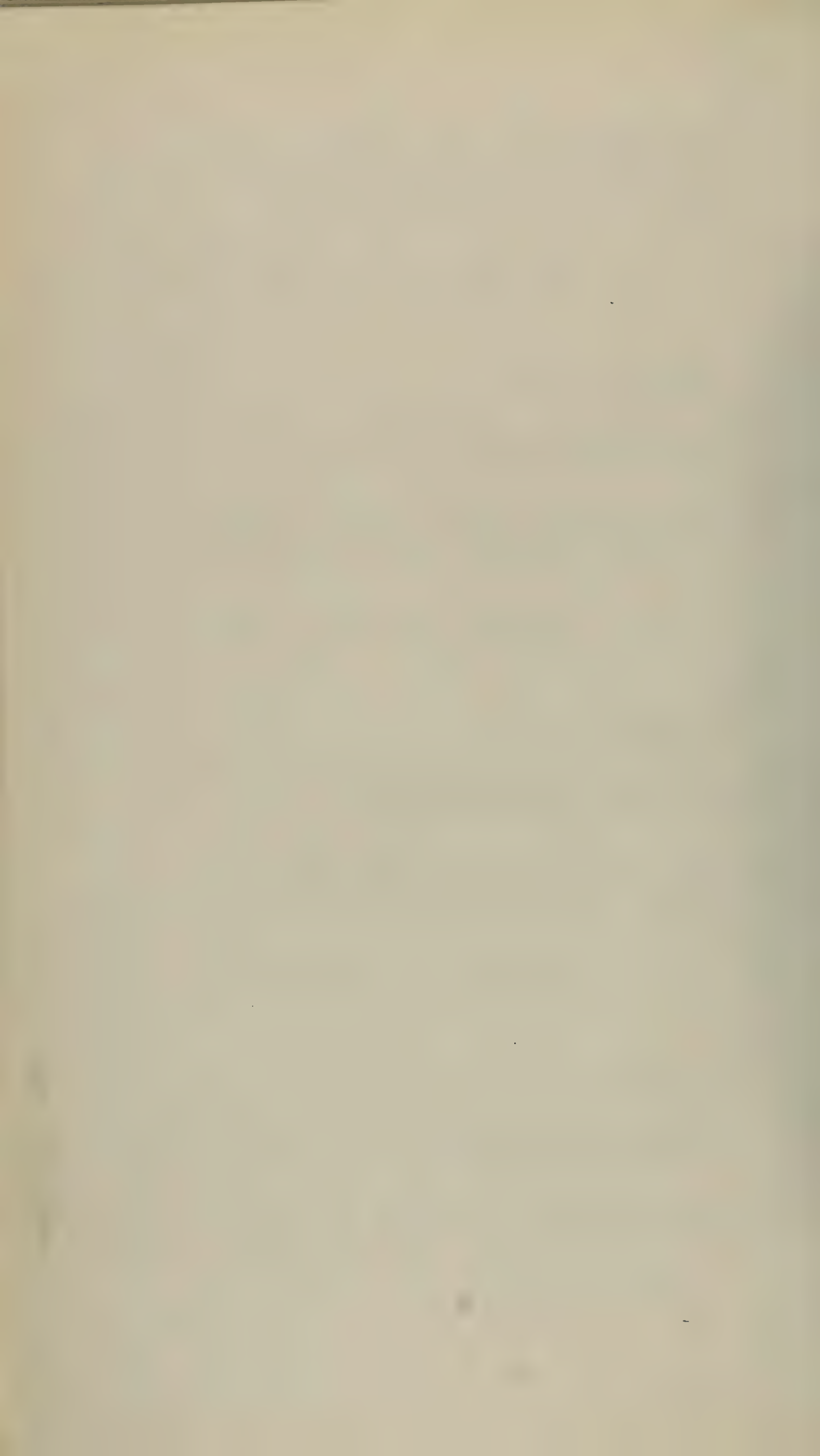
RESOLUTION NO. 66-79

PROPOSED DEPARTMENT GENERAL ORDER I-3  
VIOLATIONS OF PROBATION ON PAROLE.

RESOLVED, that the Police Commission hereby adopts the proposed General Order I-3, Violations of Probation on Parole.

AYES: Commissioners Ciani, Murphy, Toler, Siggins





Commissioner Ciani stated that her office had a meeting this week and the point was made by police officers who represented the Department that they just had some new CETA employees at the Richmond Station who could be used to patrol. She stated the meeting was about the problem at Mountain Lake Park where there is a lot of vandalism. She wondered if the Environmental Control Officers would be involved in this matter.

The Chief stated that that would be a matter for the Park and Recreation Officers and that an order would be forthcoming to the Commission in that regard.

Commissioner Ciani then stated that she wondered what kind of training they received because there was some question about whether they could effectively patrol and discourage criminal activity and vandalism or whether they are just going to be concerned with picking up litter or fixing shrubbery.

Chief Gain stated that the Department would train them and the content of the training will be done in accordance with need and what is appropriate for the position. So if they are not carrying guns, they will not need the peace officer type training at all.

Commissioner Sanchez stated that when this initiative came up a few months back, about how there is going to be a new Civil Service Classification through CETA for Environmental Control Officer, he stated that he had raised the question, "Are we really duplicating services?" and he stated, he still doesn't have the data to make a fairly objective assessment of it. He continued by saying, as for an example, the Department of Public Health utilizes X numbers of Inspectors, Health and Environmental and so forth. He said, supposedly, Prop. 13 was going to cut back on some of these people, that we now have Park and Rec groups, we have Hospital Police, we have Muni Police, we have Airport Police, and we have X number of other people who are either sworn in, or whatever, and he was hoping that perhaps we might have some sort of information session where we could take a look at all of these sub-sets of the Police Department and see if there is an overlap, or if there is a common bond of training, or if the training is being cut then perhaps we could move some of these other Department rather than having people who are not police officers and having people who are police officers. Then at the same time the Department is looking at the city agencies, they are no longer looking at the city agencies, that he wondered if the Commission could get some sort of information from the various agencies possible.

The Chief acknowledged this and stated that he would



believed that there is a study under way now as far as Civil Service Classification is concerned to get a common classification, because we do have a great number of specialists doing basically the same job, but they are under different classifications.

Commissioner Murphy inquired about the Muni Police as to whether any of them would be good candidates for Q2 Police Officers. He stated that it seemed that those officers would be a good source for recruitment.

The Chief stated that it is actually a built-in recruitment source because when it comes to a police officer, numbers of persons from various civil service classifications take the examination for policeman. He then stated that speaking about Muni Police, that he had had conversations about whether Muni Transit Police will remain federally funded or funded through Ad Valorem Funds, and the response that he received was that for the next 18 months, because CETA funding is available, that Muni Police will stay under CETA funding. Consequently, he stated, in regards to those Muni Transit employees now, CETA employees, who will as of October acquire 18 months in the position, an effort will be made to place them into other city jobs.

RECEIPT OF PROPOSED DEPARTMENT GENERAL ORDER  
RELATED TO THE DUTIES OF RECREATION AND PARK  
POLICE. (COPIES SENT TO EMPLOYEE ORGANIZATIONS)  
CONTINUED FOR ONE (1) WEEK

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 66-73

REMOVAL OF SPECIAL OFFICER RICHARD A. TORRES

RESOLVED, that the Special Officer Richard A. Torres, assigned to Beat No. 35, Central Police Station, the same is hereby revoked effective immediately, he being held in custody by the Police Department. Theodore R. Torres.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins



RESOLUTION NO. 67-79

PATROL SPECIAL OFFICER THEODORE R. TOLER - 1979

RESOLVED, that Theodore R. Toler, Jr., he is hereby appointed a Patrol Special Officer for Beat No. 60 and Beat No. 35, Central Police District; said appointment effective March 1, 1979, he having purchased Beat No. 60 and Beat No. 35, Central Police District from Richard A. Bloom.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 68-79

POLICE OFFICER DAVID PHILLIP HERMAN, SOUTHEAST  
POLICE STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer David Phillip Herman, as follows:

SPECIFICATION NO. 1

Failure to Prevent Crime, Arrest Offenders and Enforce Penal Law While Off-Duty. (Violation of Section 2.03 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Engaging in Acts of Prostitution (Violation of Section 2.11 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Failure to Report Traffic Accidents of Sections 2.69 and 7.11 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 4

Improperly Leaving the Police Department on Duty. (Violation of Section 2.03, 2.04, 2.05, 2.06, 2.07, 2.08, 2.09, 2.10, 2.11, 2.12, 2.13, 2.14, 2.15, 2.16, 2.17, 2.18, 2.19, 2.20, 2.21, 2.22, 2.23, 2.24, 2.25, 2.26, 2.27, 2.28, 2.29, 2.30, 2.31, 2.32, 2.33, 2.34, 2.35, 2.36, 2.37, 2.38, 2.39, 2.40, 2.41, 2.42, 2.43, 2.44, 2.45, 2.46, 2.47, 2.48, 2.49, 2.50, 2.51, 2.52, 2.53, 2.54, 2.55, 2.56, 2.57, 2.58, 2.59, 2.60, 2.61, 2.62, 2.63, 2.64, 2.65, 2.66, 2.67, 2.68, 2.69, 2.70, 2.71, 2.72, 2.73, 2.74, 2.75, 2.76, 2.77, 2.78, 2.79, 2.80, 2.81, 2.82, 2.83, 2.84, 2.85, 2.86, 2.87, 2.88, 2.89, 2.90, 2.91, 2.92, 2.93, 2.94, 2.95, 2.96, 2.97, 2.98, 2.99, 3.00, 3.01, 3.02, 3.03, 3.04, 3.05, 3.06, 3.07, 3.08, 3.09, 3.10, 3.11, 3.12, 3.13, 3.14, 3.15, 3.16, 3.17, 3.18, 3.19, 3.20, 3.21, 3.22, 3.23, 3.24, 3.25, 3.26, 3.27, 3.28, 3.29, 3.30, 3.31, 3.32, 3.33, 3.34, 3.35, 3.36, 3.37, 3.38, 3.39, 3.40, 3.41, 3.42, 3.43, 3.44, 3.45, 3.46, 3.47, 3.48, 3.49, 3.50, 3.51, 3.52, 3.53, 3.54, 3.55, 3.56, 3.57, 3.58, 3.59, 3.60, 3.61, 3.62, 3.63, 3.64, 3.65, 3.66, 3.67, 3.68, 3.69, 3.70, 3.71, 3.72, 3.73, 3.74, 3.75, 3.76, 3.77, 3.78, 3.79, 3.80, 3.81, 3.82, 3.83, 3.84, 3.85, 3.86, 3.87, 3.88, 3.89, 3.90, 3.91, 3.92, 3.93, 3.94, 3.95, 3.96, 3.97, 3.98, 3.99, 4.00, 4.01, 4.02, 4.03, 4.04, 4.05, 4.06, 4.07, 4.08, 4.09, 4.10, 4.11, 4.12, 4.13, 4.14, 4.15, 4.16, 4.17, 4.18, 4.19, 4.20, 4.21, 4.22, 4.23, 4.24, 4.25, 4.26, 4.27, 4.28, 4.29, 4.30, 4.31, 4.32, 4.33, 4.34, 4.35, 4.36, 4.37, 4.38, 4.39, 4.40, 4.41, 4.42, 4.43, 4.44, 4.45, 4.46, 4.47, 4.48, 4.49, 4.50, 4.51, 4.52, 4.53, 4.54, 4.55, 4.56, 4.57, 4.58, 4.59, 4.60, 4.61, 4.62, 4.63, 4.64, 4.65, 4.66, 4.67, 4.68, 4.69, 4.70, 4.71, 4.72, 4.73, 4.74, 4.75, 4.76, 4.77, 4.78, 4.79, 4.80, 4.81, 4.82, 4.83, 4.84, 4.85, 4.86, 4.87, 4.88, 4.89, 4.90, 4.91, 4.92, 4.93, 4.94, 4.95, 4.96, 4.97, 4.98, 4.99, 5.00, 5.01, 5.02, 5.03, 5.04, 5.05, 5.06, 5.07, 5.08, 5.09, 5.10, 5.11, 5.12, 5.13, 5.14, 5.15, 5.16, 5.17, 5.18, 5.19, 5.20, 5.21, 5.22, 5.23, 5.24, 5.25, 5.26, 5.27, 5.28, 5.29, 5.30, 5.31, 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18.84, 18.85, 18.86, 18.87, 18.88, 18.89, 18.90, 18.91, 18.92, 18.93, 18.94, 18.95, 18.96, 18.97, 18.98, 18.99, 19.00, 19.01, 19.02, 19.03, 19.04, 19.05, 19.06, 19.07, 19.08, 19.09, 19.10, 19.11, 19.12, 19.13, 19.14, 19.15, 19.16, 19.17, 19.18, 19.19, 19.20, 19.21, 19.22, 19.23, 19.24, 19.25, 19.26, 19.27, 19.28, 19.29, 19.30, 19.31, 19.32, 19.33, 19.34, 19.35, 19.36, 19.37, 19.38, 19.39, 19.40, 19.41, 19.42, 19.43, 19.44, 19.45, 19.46, 19.47, 19.48, 19.49, 19.50, 19.51, 19.52, 19.53, 19.54, 19.55, 19.56, 19.57, 19.58, 19.59, 19.60, 19.61, 19.62, 1





and 9.29 of the Rules and Procedures of the San Francisco Police Department.)

by Charles R. Gain, Chief of Police; and that it

RESOLVED, that the setting of the date for the hearing before the Police Commission on charges filed against Police Officer David Phillip Herman, Southeast Police Station, be, and the same is hereby set for Wednesday, February 7, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 69-79

POLICE OFFICER HERSCHELL BRISCOE, RICHMOND POLICE STATION

WHEREAS, charges of violation of the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Herschell Briscoe, Richmond Police Station, as follows:

SPECIFICATION NO. 1

Failure to Maintain Radio Contact.  
(Violation of Section 9.147 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Leaving Police Station Premises.  
(Violation of Section 9.148 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Failure to Maintain Radio Contact.  
(Violation of Section 9.147 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 4

Failure of Officer to Perform  
Duties Responsibly.  
Section 2.00 of the Rules and Procedures of the San Francisco Police Department.



of the San Francisco Police Department.)

by Charles R. Gain, Chief of Police; therefore,  
be it

RESOLVED, that the setting of the date  
for the hearing before the Police Commission on  
charges filed against Police Officer Donald H.  
Friscoe, Richmond Police Station, be, and the same  
is hereby set for Wednesday, February 7, 1979 at  
5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 71-79

DATE TO BE SET FOR HEARING OF POLICE OFFICER ROBBIE E. CORLEY, JR., CENTRAL POLICE STATION

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Robbie E. Corley, Jr., was called; and

WHEREAS, Mr. Lawrence Wilson stated that Mr. Stephen Bruce Bley is the attorney for Police Officer Robbie E. Corley, Jr., Central Police Station, and Mr. Bley and he agreed that a date for setting Police Officer Robbie E. Corley, Jr.'s hearing should be scheduled on February 7, 1979; therefore be it

RESOLVED, that the setting of date for the hearing of the disciplinary charges filed against Police Officer Robbie E. Corley, Jr., Central Police Station, is set for Wednesday, February 7, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 72-79

DATE TO BE SET FOR HEARING OF POLICE OFFICER DONALD H. FRISCOE, RICHMOND POLICE STATION

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Donald H. Friscoe, Richmond Police Station, was called; and



hearing of Police Officer Gary L. Dixon, Central Police Station, was called; and

WHEREAS, Mr. Lawrence Wilson stated that Mr. Stephen Bruce Bley is the attorney for Police Officer Gary L. Dixon, Central Police Station, and Mr. Bley and he agreed that a date for setting Police Officer Gary L. Dixon's hearing should be scheduled on February 7, 1979; therefore be it

RESOLVED, that the setting of the date for the hearing of the disciplinary charges filed against Police Officer Gary L. Dixon, Central Police Station, is set for Wednesday, February 7, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 73-79

DATE TO BE SET FOR THE HEARING OF LIEUTENANT ROBERT M. FORNI, CENTRAL POLICE STATION

WHEREAS, the date to be set for the disciplinary hearing of Lieutenant Robert M. Forni, Central Police Station, was called; and

WHEREAS, Mr. Lawrence Wilson stated that Mr. Stephen Bruce Bley is the attorney for Lieutenant Robert M. Forni, Central Police Station, and Mr. Bley and he agreed that a date for setting Lieutenant Robert M. Forni's hearing should be scheduled on February 7, 1979; therefore be it

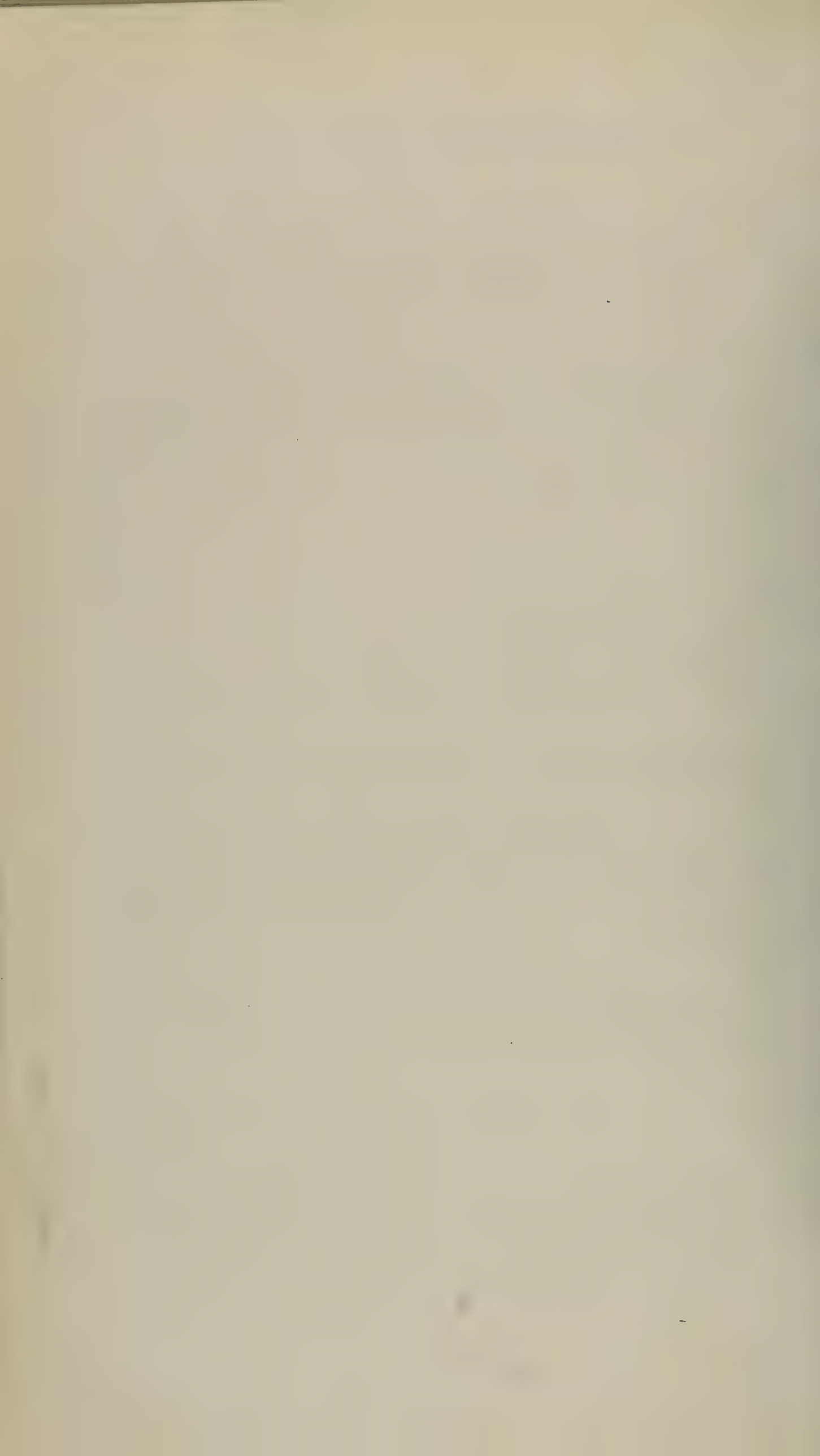
RESOLVED, that the setting of the date for the hearing of the disciplinary charges filed against Lieutenant Robert M. Forni, Central Police Station, is set for Wednesday, February 7, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

SHOW CAUSE HEARING IN CASE OF J. BISHOP, FIELD STATION

Chief said that...





be continued so that it could be verified whether Sergeant Bishop had or had not filed for retirement.

RESOLUTION NO. 74-79

SHOW CAUSE HEARING IN THE MATTER OF SERGEANT BURTON J. BISHOP, FIELD OPERATIONS BUREAU

WHEREAS, the hearing of Sergeant Burton J. Bishop, Field Operations Bureau, was called; and

WHEREAS, Mr. Lawrence Wilson, Legal Office, stated that Sergeant Burton J. Bishop has filed for a disability retirement, however, he needs one more week to verify this and asked that the matter be continued to Wednesday, February 7, 1979; therefore be it

RESOLVED, that it is the order of the Police Commission that the Show Cause Hearing of Sergeant Burton J. Bishop, is set for Wednesday, February 7, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Ciani, Toler, Siggins

HEARING OF POLICE OFFICER THOMAS DEL TORRE, CENTRAL POLICE STATION

The hearing of Police Officer Thomas Del Torre, Central Police Station, was called, it has been set for this date. Police Officer Thomas Del Torre was charged with violating the following procedures, as follows:

SPECIFICIA

Article 2.13 of the Police Department's Code of Conduct, the Commission's Code of Conduct

SPECIFICIA

Conduct of Police Officer Thomas Del Torre, Police Department.



2.13 of the Rules and Regulations  
of the San Francisco Police Department.)

in a properly verified complaint of Charles E.  
Gain, Chief of Police of the San Francisco Police  
Department.

Police Officer Thomas Del Torre, appeared  
in person and was represented by Mr. Stephen Bruce  
Bley, Attorney at Law.

Mr. Lawrence Wilson, Attorney at Law,  
appeared as the Prosecutor for the Police Department.

The reading of the Charges was subject.

An opening statement was made by Mr.  
Lawrence Wilson, Prosecuting Attorney.

Police Officer Thomas Del Torre entered,  
through his attorney, a plea of "Not Guilty" to  
all charges.

The following-named witnesses were called  
by the Prosecution, sworn and testified:

Police Officer Thomas Del Torre  
Central Police Station

Mr. William Walker  
536 Mason Street  
San Francisco, California

The following exhibits were introduced  
Evidence by the Prosecution:

Exhibit A - Photograph of [illegible]  
[illegible] [illegible]  
[illegible] [illegible]

Exhibit B - Photograph of [illegible]  
Rear front profile of [illegible]  
[illegible] (Mr. [illegible])

Exhibit C - Photograph of [illegible]  
[illegible] [illegible]  
[illegible] [illegible]



The following exhibit was entered into Evidence by the Defense:

Exhibit No. 1 - Photograph of Washington & Grant Avenue Depicting crowds of people with red arrow pointing to William Walker with question mark.

The Commission then adjourned at 2115 hours and the matter was continued to Wednesday, February 7, 1979 at 1730 hours, in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

HEARING OF POLICE OFFICER EDWARD RODRIGUEZ, CENTRAL POLICE STATION

The hearing of Police Officer Edward Rodriguez, Central Police Station, was called, it having been set for this date. Police Officer Edward Rodriguez was charged with violating the Rules and Procedures, as follows:

SPECIFICATION NO. 1

Misconduct. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Conduct Reflecting Discredit Upon the Police Department. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

in a properly verified complaint by Charles R. Gain, Chief of Police of the San Francisco Police Department.

Police Officer Edward Rodriguez appeared in person and was represented by Mr. Stephen Bruce Blow, Attorney at Law.





Mr. Lawrence Wilson, Attorney at Law, appeared as the Prosecutor for the Police Department.

The reading of the Charges was waived.

An opening statement was made by Mr. Lawrence Wilson, Prosecuting Attorney.

Police Officer Edward Rodriguez entered, through his attorney, a plea of "Not Guilty" to all charges.

The following-named witnesses were called by the Prosecution, sworn and testified:

Police Officer Thomas Del Torre  
Central Police Station

Mr. William Walker  
536 Mason Street  
San Francisco, California

The following exhibits were entered into Evidence by the Prosecution:

- Exhibit A - Photographs of complainant's face and legs, dated 2/21/78-SFPD (Mr. William Walker)
- Exhibit B - Two Photographs of complainant's face front profile, dated 2/21/78-SFPD (Mr. William Walker)
- Exhibit C - Hospital Record Ambulance & Aide Station information (Mr. William Walker)

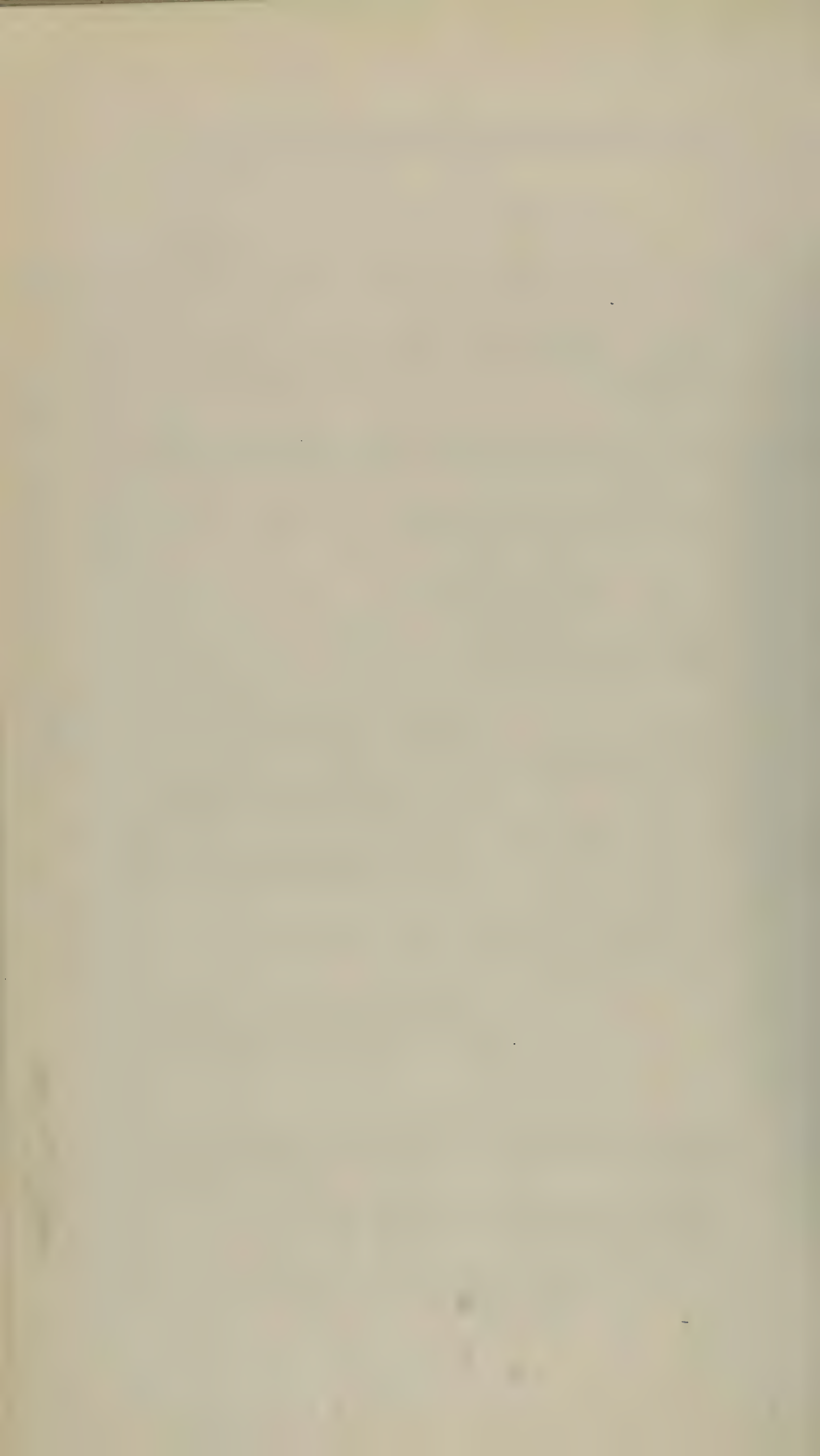
The following exhibit was entered into Evidence by the Defense:

- Exhibit 1 - Photograph of Washington & Grant Avenue Depicting crowds of people with red arrow pointing to William Walker with question mark.

The Commission then adjourned at 2115 hours and the matter was continued to Wednesday, February 7, 1979 at 1730 hours, in Room 551, Hall of Justice.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Ciani, Murphy, Sanchez, Loler, Siggins



REQUESTING CONSIDERATION AND APPORVAL OF PROCEDURES  
FOR THE ACCEPTANCE AND PROCESSING OF APPLICATIONS  
FOR VEHICLE FOR HIRE PERMITS PER PROPOSITION K. -  
CONTINUED FOR ONE (1) WEEK.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

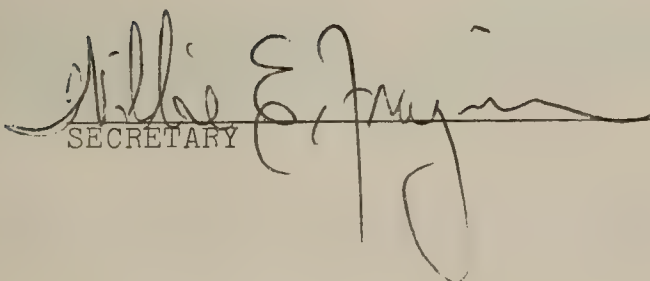
RESOLUTION NO. 75-79

REQUESTING PERMISSION OF THE POLICE COMMISSION TO  
APPOINT FIFTEEN (15) Q50 SERGEANTS TO THE RANK OF  
NON-CIVIL SERVICE Q60 LIEUTENANTS

RESOLVED, that the approval is given to  
the Chief of Police to make up to fifteen (15) Non-  
Civil Service a-pointments of Q50 Sergeants to the  
rank of Non-Civil Service Q60 Lieutenants.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

The Commission then adjourned its meeting at  
2115 hours.

  
\_\_\_\_\_  
SECRETARY



7 FEBRUARY 1979

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, February 7, 1979, at 1730 hours, in regular session.

PRESENT: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

Commissioner Siggins presiding.

APR 24 1979

RECOMMENDATIONS OF THE TRAFFIC BUREAU

DOCUMENTS DEPT.  
S.F. PUBLIC LIBRARY

Reconsideration of the establishment of a White Zone at Washington and Walnut Streets granted August 9, 1978.

The applicant was Mr. Anthony Winston, Consular of the Republic of Malawi.

Judge Robert Drewes, a resident of the area and a protestant in the matter against the Consulate having the white zone, stated that no one in the immediate area had seen any posting, notifying them of the intent of placing a white zone at that location, and if they had they would have protested because parking there is exceedingly difficult and the need for this zone is not apparent. He asked that the white zone there be revoked.

Officer Quaglia of the Traffic Survey Department stated that the area had been posted personally by him and that at that time there were no protests.

Other persons who live in the neighborhood, appeared and protested were as follows:

Debra Rabin, resident, across the street from the Consulate.

Vincent Mullens, 3383 Washington Street.

Mr. Winston stated that the white zone as presently constituted has little value to him and he is willing to eliminate it in the interest of keeping peace in the neighborhood. However, he suggested the white zone of the Iranian Consulate across the street should be revoked as





the Iranians do not maintain an office in the premises.

After listening to the testimony of all parties the Commission revoked the Malawi Consulate's white zone. Commissioner Ciani then moved that the Police Commission declare, as a matter of policy, that it will not afford special privileges to any Consulate in the granting of parking zones and direct the Department, subject to the demands of its regular workload, to review whether existing white zones of other consulates meet current standards so that all will be treated equally in the future.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

Traffic Item No. 5 - 400 Pioche Street

Mrs. Espaniola Thomas appeared on behalf of "Thomas Board and Care Home, 400 Pioche Street" in an effort to gain approval from the Commission to obtain a 22 foot white zone in front of the home.

The Commission, after listening to testimony from Mrs. Thomas and Officer Quaglia of the Department, upheld the Department's recommendation and denied the request.

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

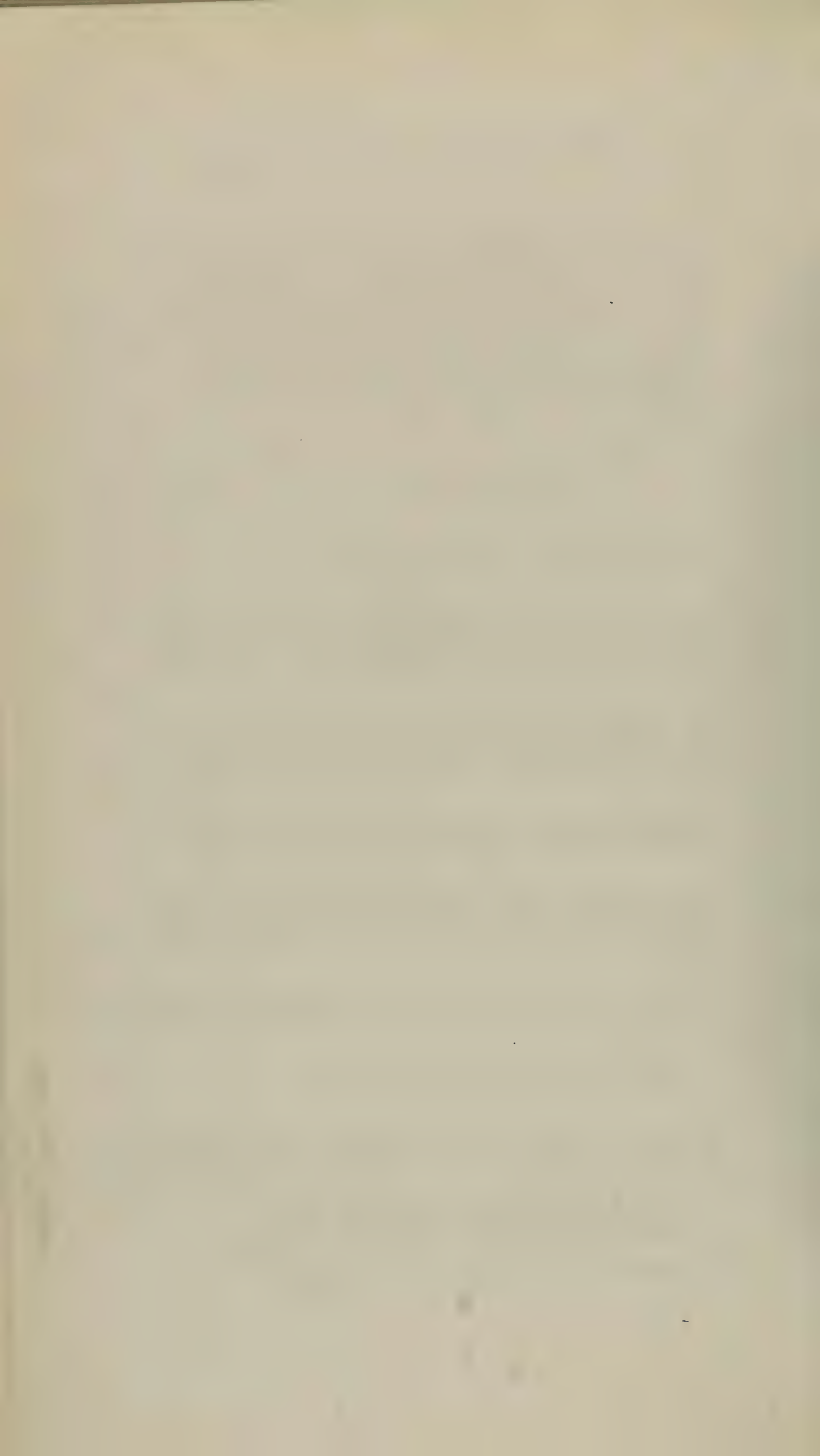
RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

1532-20th STREET (Missouri) - FLO'S BARBER SHOP SUPPLIES

- a) At 1532-20th Street, install a 22' green zone, extending from east of west property line.

333 TAYLOR STREET - DOLLAR-RENT-A-CAR SAN FRANCISCO-DENIED

- a) At 333 Taylor Street, install a 35' white zone, extending from 3' to 38' north of north side of driveway. DENIED.
- b) Meter TAY 319 to be removed. DENIED.



65-6th STREET - SONOM LIQUORS

- a) At 65-6th Street, install a 22' yellow zone, extending from 3' to 25' south of Jessie Street.
- b) Meter 6S47 to be removed.

400 PIOCHE STREET - THOMAS BOARD AND CARE HOME -DENIED

- a) At 400 Pioche Street, install a 22' white zone, extending from east property line 22' west of same. DENIED.

298 EDDY STREET - DOWNTOWN BOWL

- a) At 298 Eddy Street, revoke existing 63' white zone, extending from 22' to 85' east of Jones Street.

APPROXIMATELY 427 DELANO - BRENTWOOD MARKET

- a) At approximately 427 Delano Street, revoke existing 16' yellow zone, extending from 45' to 61' South of Ocean Avenue.
- b) At approximately 427 Delano Street, replace with 16' red zone for sign clearance at loading dock for semi's.

1279 PACIFIC AVENUE - ROMERO FISH CO.

- a) At 1279 Pacific Avenue, revoke existing 25' yellow zone, extending west of east building line.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 104 feet of white and yellow zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins



RESOLUTION NO. 76-79

BRUCE JANKE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Bruce Janke against the City and County of San Francisco in the sum of \$40.50 plus \$2.00 cost, as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 4, 1978

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 77-79

SIMMIE D. GRAVES

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Simmie D. Graves against the City and County of San Francisco in the sum of \$22.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 2, 1978

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 78-79

THOMAS H. OXSTEIN  
AND HIS ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Thomas H. Oxstein and his attorney in the sum of \$750.00 in Superior Court Action No. 698-338 entitled "Thomas H. Oxstein vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 18, 1975

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins





RESOLUTION NO. 79-79

LARISA PARKANSKY

RESOLVED that the recommendation of the City Attorney for settlement of the claim of Larisa Parkansky against the City and County of San Francisco in the sum of \$1,571.41 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: October 19, 1978

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 80-79

AUTHORIZING ATTENDANCE OF LIEUTENANT VICTOR MACIA, INVESTIGATIONS BUREAU (YOUTH SERVICES) AT THE CHILD ABUSE SEMINAR AT MORRO BAY, CALIFORNIA, FROM FEBRUARY 26, 1979 TO MARCH 12, 1979, INCLUSIVE.

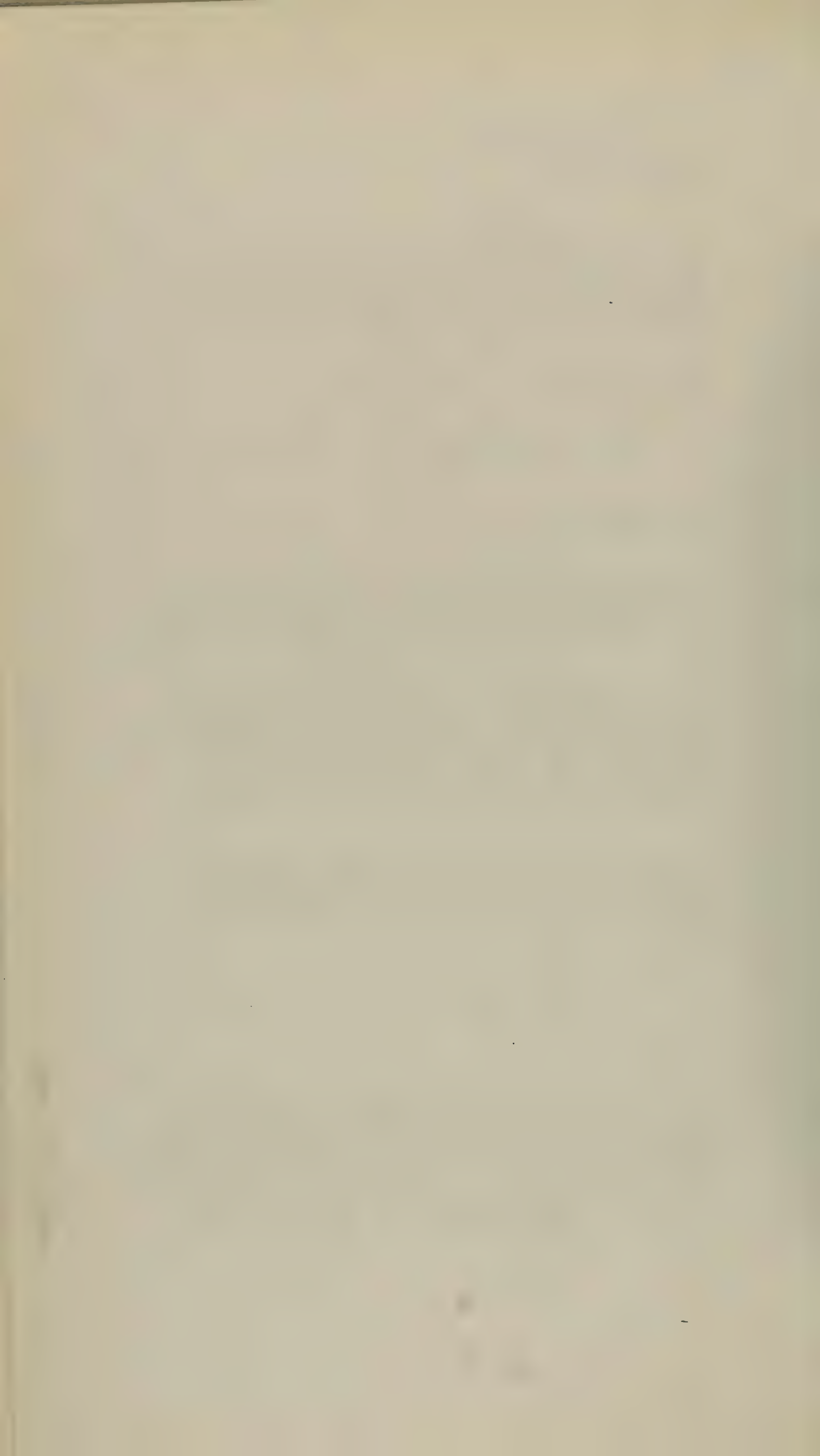
RESOLVED, that the recommendation of the Chief of Police that Lieutenant Victor Macia, Investigations Bureau (Youth Services), be detailed to attend the Child Abuse Seminar at Morro Bay, California, from February 26, 1979 to March 12, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Lieutenant Victor Macia, Investigations Bureau (Youth Services), in a sum not to exceed \$480.00 will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

The members of the Commission and the Chief, having received and returned amended copies of the minutes of the meetings of December 20, 1978, December 27, 1978, and January 3, 1979, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins



CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain presented no report to the Police Commission at this meeting.

RESOLUTION NO. 81-79

REQUEST FOR SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$14,853.00 TO CLASSIFY TWO NEW POSITIONS IN THE 1978-1979 BUDGET.

RESOLVED, that the Police Commission hereby approves the request for a supplemental appropriation in the amount of \$14,853.00 which will classify two new budgeted positions in Class 1822 Administrative Analyst to Class 1842 Mangement Assistant.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

MATTER OF PATROL SPECIAL BEAT #46 RE: CLAIM OF MRS. ERMA JEWETT; TO BE REPRESENTED BY ATTORNEY JERRY E. BERG. (CONTINUED FROM THE MEETING OF NOVEMBER 1, 1978.) - CONTINUED TO FEBRUARY 21, 1979.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

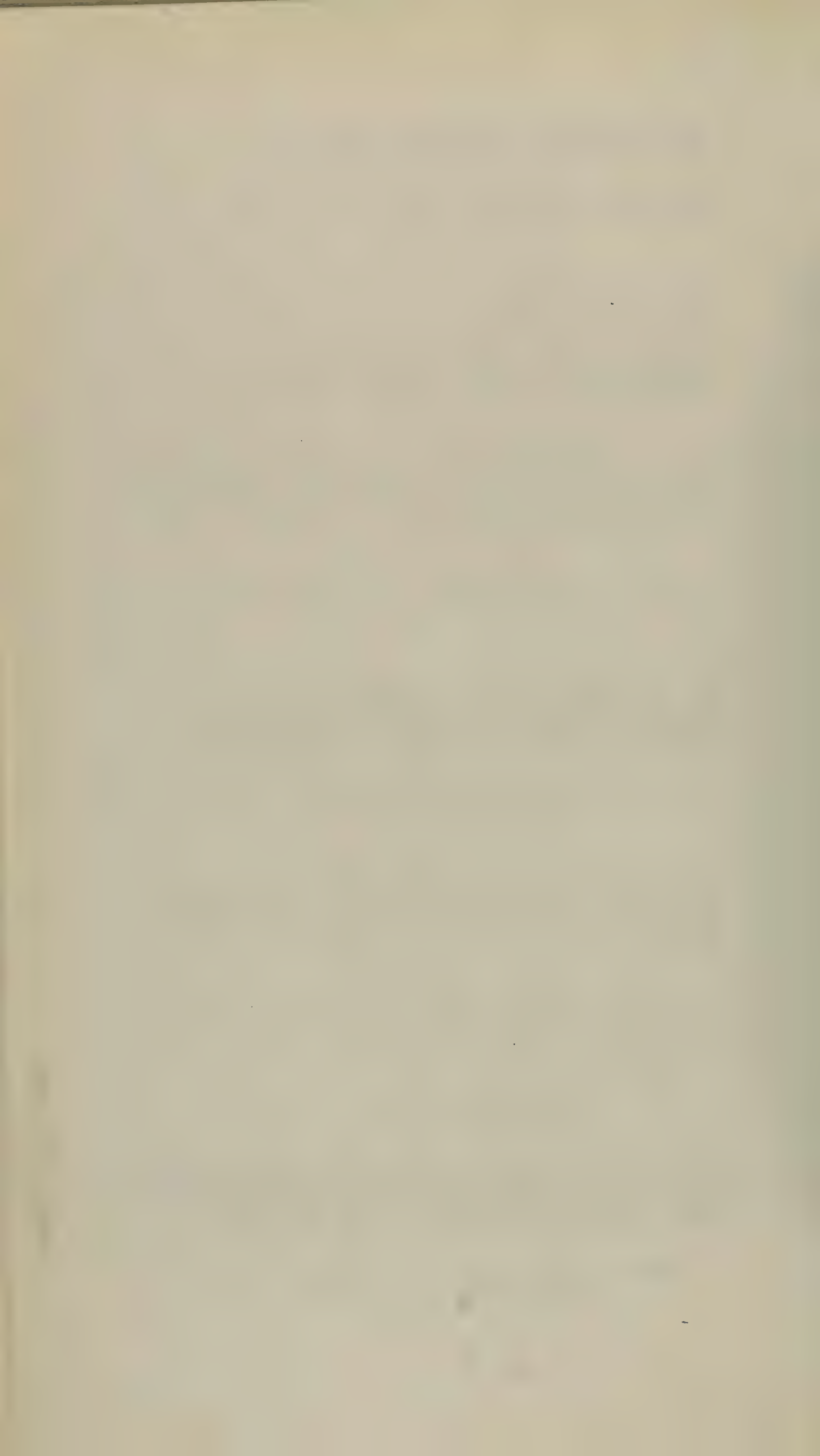
RECEIPT OF PROPOSED DEPARTMENT GENERAL ORDER RELATED TO THE DUTIES OF RECREATION AND PARK POLICE (CONTINUED FROM THE MEETING OF JANUARY 31, 1979) - CONTINUED TO MARCH 7, 1979.

Chief Gain requested a one (1) month continuance on this item. He stated that his staff, after surveying the positions, indicated that there should probably be some changes made.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RECOMMENDATION OF THE CHIEF OF POLICE THAT THE POLICE COMMISSION ADOPT THE REVISED VERSION OF THE DEPARTMENT STAFF PROPOSED MISDEMEANOR CITATION PROCEDURES.-CONTINUED TO FEBRUARY 21, 1979, FOR PUBLIC HEARING.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins



REQUESTING CONSIDERATION AND APPROVAL OF PROCEDURES FOR ACCEPTANCE AND PROCESSING OF APPLICATIONS FOR VEHICLE FOR HIRE PERMITS PER PROPOSITION K. (CONTINUED FROM THE MEETING OF JANUARY 31, 1979).

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Commissioner Siggins: "Mr. Byrne, I see that you have worked this out with the City Attorney's Office."

Mr. Byrne: "It has been worked out after extensive consultation with all concerned."

Commissioner Murphy: "When you say 'all concerned', do you mean the Board of Supervisors, for example?"

Mr. Byrne: "Well, the Board of Supervisors are not directly involved, but the City Attorney's Office has been, the Permit Bureau and the Traffic Bureau's Taxi Cab Detail and, of course, the Legal Office."

Commissioner Siggins: "Well, it looks like you put a lot of thought and effort into it and it's ready to go. Proposition K put the burden on us to get started on it."

Mr. Byrne: "I think so. I think there is some concern in the Board of Supervisors that some action be taken in connection therewith."

Commissioner Murphy: "We have a letter asking us to. I have two questions I would like to ask, one is 4(b) is the part of K that provides for the turning in of the permits, is that right? Where is that now as far as the litigation is concerned?"

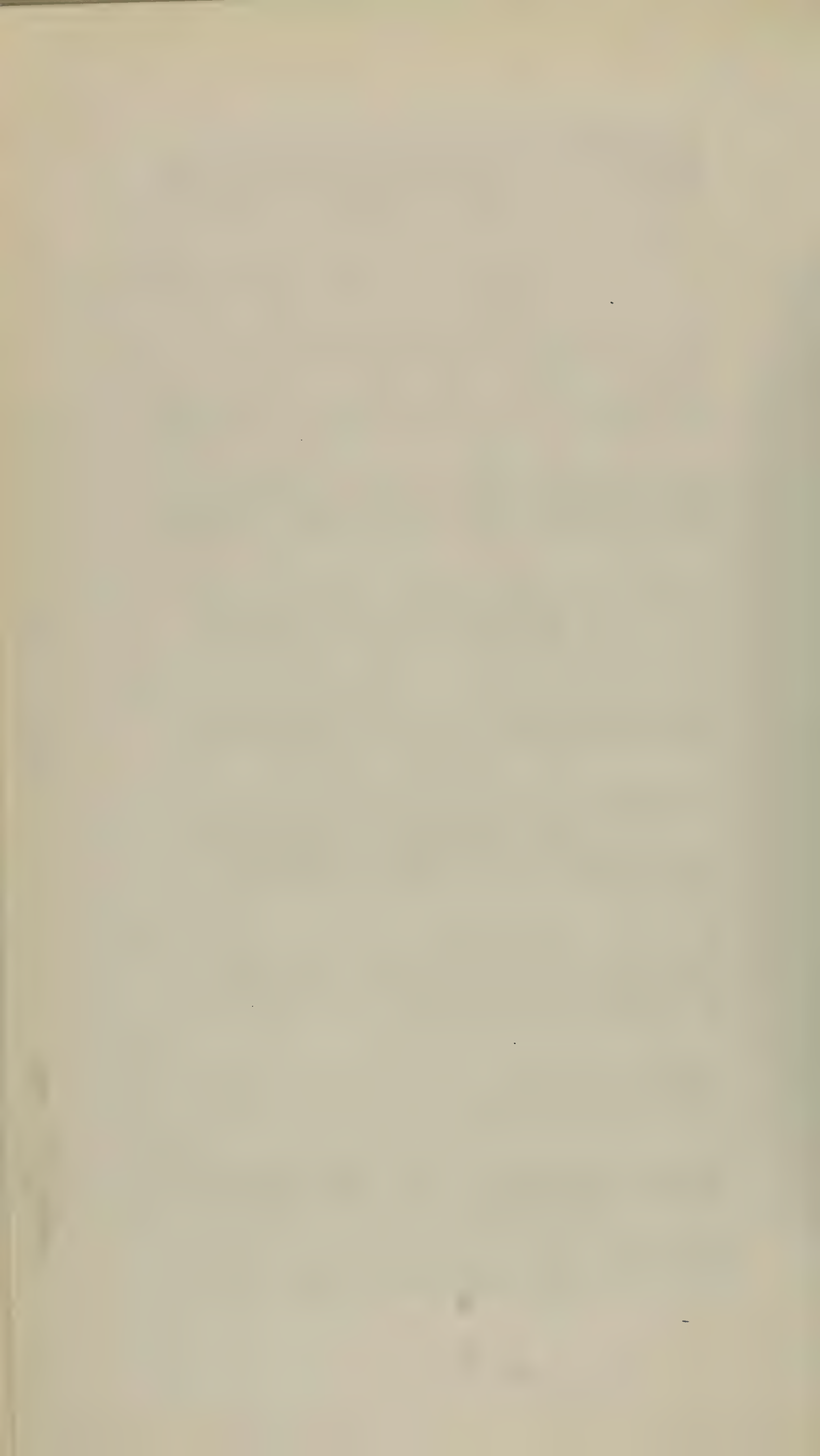
Mr. Byrne: "The litigation is still on appeal and there is a stay order in effect prohibiting enforcement of that sub-section of the ordinance. The rest of the ordinance is in effect and can be complied with."

Commissioner Murphy: "And the litigation is the reason we have taken from the last of June until now to get this started?"

Mr. Byrne: "I am afraid it has been pending all this time Commissioner. That's not too unusual for the appellate process."

Commissioner Murphy: "Tell me this, on the last page of this letter from Sergeant Frazier to George





Agnost, no I guess it is from....it is a sample letter, when does the two year period start running? It says Initiative Ordinance Proposition K, if during the first two year period Initiative Ordinance is in effect two or more persons have pending applications and so on. When does the two year period start running?"

Mr. Byrne: "From the effective date of the Ordinance."

Commissioner Murphy: "Well, one (1) year is up."

Mr. Byrne: "I am afraid that's true. Also Commissioners, in reference to that sample letter, subsequent to the time that this was submitted to you the Permit Bureau has asked that you approve some technical changes. They want in that letter to notify the applicants the deadline to get their applications in, of the place and the time for those applications to be filed and, also, some information as to the fees that they are going to be charged. That's not in the sample and we would like to modify it to include those things if otherwise acceptable to you."

Commissioner Murphy: "I think you ought to put the last date of when this happens instead of the two years as now dated for it to start running. I think that it should be specific as to when the two years should begin."

Mr. Byrne: "Fine, I will make that change."

Commissioner Ciani: "Well, by adopting this have we agreed to the half hour per applicant or is that only a suggestion?"

Mr. Byrne: "That's only a suggestion and whoever is presiding, I assume it will be President Siggins, can decide what he thinks is appropriate."

Commissioner Ciani: "And it says that Mr. Agnost has advised us that future hearings may be held every 90 days; I don't understand that."

Mr. Byrne: "Well, what we were concerned about is, let's assume a situation where we hold the initial hearing and the Commission decides, for example, that only ten additional permits will be issued, that means there is approximately 290 unsuccessful applicants. As the ordinance is written, they could immediately, thereupon, the next day, go in and again file a new application and if we have to hold hearings every



time there is an application filed, we are going to have hearings every day of the week."

Commissioner Ciani: "So what this says is that it would not be unlawful for us to announce that we are only going to hold hearings quarterly."

Mr. Byrne: "That's correct. And that in Mr. Agnost's opinion, is the outside limit, and in his opinion, there should not be a larger period of time between hearings."

Commissioner Ciani: "Then shouldn't we make that kind of a statement at this time?"

Commissioner Siggins: "I don't think that the... The law has not changed as far as the hearings go. In the past we just haven't had any hearings, is that correct? People have applied but we just haven't had hearings."

Commissioner Ciani: "It was determined that we should have had hearings."

Commissioner Siggins: "Yes, I know."

Mr. Byrne: "And the first hearing, or hearings, are going to be very time consuming, hopefully, through the procedure of using a transcript, successive hearings will be much less time consuming."

Commissioner Murphy: "I had one other question. I am sorry, I should have asked earlier. In the Chief's letter to the City Attorney George Agnost, it says, 'The burden of proof at this hearing is upon the applicant to establish with clear and convincing evidence that public convenience and necessity require the operation of a vehicle for which the permit application has been made and in all other respects he meets the requirements for a permit.' I have difficulty in thinking of how you establish clear and convincing evidence, what kinds of evidence would be clear and convincing? Is it important that we let the applicants know the kinds of things we want to know in this instance, or can we just be general?"

Commissioner Siggins: "I think that is written in the law, isn't it Mr. Byrne?"

Commissioner Murphy: "Yes, it's written in the law, but I think the law can be interpreted in a variety of ways, but for people who may not be expert at giving clear and convincing evidence it could be a stumbling block to an otherwise appropriate request."



Mr. Byrne: "I think that would be very difficult in advance for the Commission to set down what would be clear and convincing. I think that is the decision of the trier of fact in this case, the Commission, is going to have to make when it hears the evidence. We can tell them the four things the Commission must consider but going beyond that I think it would be....."

Commissioner Murphy: "What are the four things the Commission must consider?"

Mr. Byrne: "It is set out in Section 3 of the ordinance, there are four factors."

Commissioner Murphy: "In the ordinance, yes. And that is what you would consider as clear and convincing if they met that criteria."

Mr. Byrne: "Yes, but the ordinance also provides that the Commission can consider other facts."

Commissioner Murphy: "I think we ought to set out at least the four things that are in the ordinance as being the minimum that would be accepted and there might be others too."

Mr. Byrne: "We can include that in the letter that is going to be sent out."

Commissioner Murphy: "I move that with those changes indicated by the Commission, that this be accepted as the method by which we implement Proposition K."

Commissioner Toler: "I second the motion."

Commissioner Ciani: "Again, I would like to offer a friendly amendment and that would be that we establish as a matter of policy, that we will hold such hearings regularly on a quarterly basis."

Commissioner Murphy: "I thought that was included in the material."

Commissioner Ciani: "It says 'may.' It says that we 'may' adopt that kind of policy."

Commissioner Murphy: "That's fine."

Commissioner Siggins: "Or thereabouts. Let's put it quarterly or thereabouts."





Commissioner Murphy: "No more than."

Commissioner Ciani: "What does that mean?"

Commissioner Siggins: "Well, up to three, between three and four a year."

Commissioner Murphy: "Question?"

Commissioner Siggins: "Question? All in favor?"

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

the following resolution was then adopted:

RESOLUTION NO. 84-79

PROPOSED PROCEDURES FOR THE ISSUANCE OF VEHICLE  
FOR HIRE PERMITS PURSUANT TO PROPOSITION K -  
APPROVED

RESOLVED, that the procedures for the acceptance and processing of applications for Vehicle for Hire Permits pursuant to the "Initiative Ordinance Regarding the Regulation of Taxi Cabs and Other Vehicles for Hire (Proposition K) passed by the voters in the June, 1978 election, be, and the same is hereby approved.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 82-79

HEARING OF POLICE OFFICER ALBERT J. O'KEEFE, SUPPORT  
SERVICES - RECORDS

WHEREAS, the hearing of Police Officer Albert J. O'Keefe, Support Services-Records, was called; and

WHEREAS, Mr. Lawrence Wilson stated that Mr. Stephen Bruce Bley is the attorney for Officer Albert J. O'Keefe, Support Services-Records, and Mr. Bley and he agreed that the hearing of Police Officer Albert J. O'Keefe should be scheduled on March 28, 1979; therefore be it



RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Albert J. O'Keefe, Support Services-Records, is set for Wednesday, March 28, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 83-79

HEARING OF SERGEANT CHARLES C. GALE, SUPPORT SERVICES-RECORDS

WHEREAS, the hearing of Sergeant Charles C. Gale, Support Services-Records, was called; and

WHEREAS, Mr. Lawrence Wilson stated that Mr. Stephen Bruce Bley is the attorney for Sergeant Charles C. Gale, Support Services-Records, and Mr. Bley and he agreed that the hearing of Sergeant Charles C. Gale should be scheduled for March 28, 1979; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Sergeant Charles C. Gale, Support Services-Records, is set for Wednesday, March 28, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 85-79

HEARING OF SERGEANT JOSEPH J. CUNEO, SUPPORT SERVICES-RECORDS

WHEREAS, the hearing of Sergeant Joseph J. Cuneo, Support Services-Records, was called; and

WHEREAS, Mr. Lawrence Wilson stated that Mr. Stephen Bruce Bley is the attorney for Sergeant Joseph J. Cuneo, Support Services-Records, and Mr. Bley and he agreed that the hearing of Sergeant Joseph J. Cuneo should be scheduled for March 28, 1979; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Sergeant Joseph



J. Cuneo, Support Services-Records, is set for Wednesday, March 28, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 91-79

HEARING OF POLICE OFFICER DAVID PHILIP HERMAN, SOUTH-  
EAST POLICE STATION

WHEREAS, the hearing of Police Officer David Philip Herman, Southeast Police Station, was called; and

WHEREAS, Mr. Lawrence Wilson stated that Mr. Stephen Bruce Bley is the attorney for Police Officer David Philip Herman, Southeast Police Station, and Mr. Bley and he agreed that the hearing of Police Officer David Philip Herman should be scheduled for March 21, 1979; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer David Philip Herman, Southeast Police Station, is set for Wednesday, March 21, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 93-79

HEARING OF PATROL SPECIAL OFFICER ABLERT ROBLES,  
CENTRAL POLICE DISTRICT

WHEREAS, the hearing of Patrol Special Officer Albert Robles, Central Police District, was called; and

WHEREAS, Mr. Lawrence Wilson stated that Mr. Jeremiah F. O'Shea is the attorney for Patrol Special Officer Albert Robles, Central Police District, and Mr. O'Shea and he agreed that the hearing of Patrol Special Officer Albert Robles should be scheduled for February 14, 1979; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Patrol Special Officer Albert Robles, Central Police District, is set





for Wednesday, February 14, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 94-79

SHOW CAUSE HEARING IN THE MATTER OF SERGEANT BURTON J. BISHOP, FIELD OPERATIONS BUREAU

WHEREAS, on November 20, 1978, Charles R. Gain, Chief of Police, submitted a letter to the Police Commission informing the Commission that Sergeant Burton J. Bishop had failed to adhere to the Probationary requirements given him at the Police Commission meeting of September 13, 1978, as follows:

The five requirements, briefly stated are:

1. Attend three Alcohol Abuse meetings per week, and contact the Alcohol Abuse Officer John Devine daily.
2. Completely abstain from alcohol.
3. Take a sobriety test at any time.
4. Be observed for sobriety upon reporting for duty.
5. Not have any alcoholic beverage in his home,

and

WHEREAS, the following dates were set for the Show Cause hearing before the Police Commission for Sergeant Burton J. Bishop, Field Operations Bureau, who upon each occasion, requested a continuance. Said dates were:

Wednesday, December 6, 1978  
Wednesday, December 13, 1978  
Wednesday, December 20, 1978  
Wednesday, January 3, 1979  
Wednesday, January 10, 1979  
Wednesday, January 31, 1979

and

WHEREAS, Chief of Police Charles R. Gain announced that the Police Department was in receipt of the application filed by Sergeant Burton J. Bishop for retirement for service from the San Francisco Police Department; said application for retirement for service, effective January 29, 1979. This application was accepted with the condition that the services



of Burton J. Bishop have been unsatisfactory and that he does not retire in good standing; therefore be it

RESOLVED, that the Show Cause hearing before the Police Commission for Sergeant Burton J. Bishop, Field Operations Bureau, be, and the same is hereby continued off calendar.

AYES: Commissioners Ciani. Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 95-79

SHOW CAUSE HEARING IN THE MATTER OF POLICE OFFICER NICHOLAS MAHONEY, TARAVAL POLICE STATION.

WHEREAS, on January 30, 1979, Charles R. Gain, Chief of Police, submitted a letter to the Police Commission informing the Commission that Police Officer Nicholas Mahoney had failed to adhere to the Probationary requirements given him at the Police Commission meeting of October 4, 1978, as follows:

The four requirements, briefly stated are:

1. Completely abstain from alcohol.
2. Attend Alcohol Abuse meetings as directed by Officer Devine.
3. Submit to sobriety test when ordered.
4. Maintain daily telephone contact with the Alcohol Abuse Officer.

An opening statement was made by Sergeant Michael Hebel, attorney for Officer Mahoney.

An opening statement was made by Lawrence Wilson, attorney for the Police Department.

The following-named witnesses were called by Mr. Lawrence Wilson, sworn and testified:

Police Officer John F. Devine,  
Special Assistant to the Chief of Police

Sergeant Thomas A. Burns  
Taraval Police Station



The following Exhibit was entered into Evidence by the Prosecution:

Exhibit No. 1 - Agreement for fulfilling conditions pursuant to suspension of sentence of termination. (Officer Nicholas Mahoney).

The Commission then recessed at 1908 hours, and reconvened at 1930 hours. After which Chief of Police, Charles R. Gain, and Mr. Lawrence Wilson, attorney for the Police Department announced that the Police Department was in receipt of the resignation of Police Officer Nicholas Mahoney, from the San Francisco Police Department, said letter of resignation was dated February 7, 1979, this resignation was accepted with the condition that the services of Police Officer Nicholas Mahoney, have been unsatisfactory and that he does not resign in good standing; therefore be it

RESOLVED, that the Show Cause hearing before the Police Commission for Police Officer Nicholas Mahoney, Taraval Police Station, be, and the same is hereby continued off calendar.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

HEARING OF POLICE OFFICER THOMAS DEL TORRE,  
CENTRAL POLICE STATION

The hearing of Police Officer Thomas Del Torre, Central Police Station, was called, it having been continued from the meeting of January 31, 1979 to February 7, 1979, as follows:

The following-named witnesses were called by the Prosecution, sworn and testified:

Mr. William Walker  
536 Mason Street  
San Francisco, Ca.

William Garve  
18 Stetson  
Kentfield, Ca.

Phillip N. McClain  
1203-46th Avenue  
San Francisco, Ca.

The following Exhibits were entered into Evidence by the Prosecution:





Exhibit D. - Booking slip-Dated Sunday,  
February 19, 1978, William  
Garve, bookee, 647F P.C.

Exhibit E. - Booking slip-Dated Sunday,  
February 14, 1978, Phillip  
McClain, bookee, 148 P.C.  
delaying, 148 P.C. resisting.

The Commission then adjourned at 2217  
hours, and the matter was continued to Wednesday,  
February 21, 1979 at 1730 hours, in Room 551, Hall  
of Justice.

(The entire proceedings were taken in  
shorthand form by Hearing Reporter  
Dorsey A. McTaggart, CSR)

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

HEARING OF POLICE OFFICER EDWARD RODRIGUEZ,  
CENTRAL POLICE STATION

The hearing of Police Officer Edward  
Rodriguez, Central Police Station, was called,  
it having been continued from the meeting of  
January 31, 1979 to February 7, 1979, as follows:

The following-named witnesses were called  
by Mr. Wilson, for the Prosecution, sworn and testi-  
fied:

Mr. William Walker  
536 Mason Street  
San Francisco, Ca.

William Garve  
18 Stetson  
Kentfield, Ca.

Phillip N. McClain  
1203-46th Avenue  
San Francisco, Ca.

the following exhibits were entered into  
Evidence by the Prosecution:

Exhibit D. - Booking slip-Dated Sunday,  
February 19, 1978, William Garve,  
bookee, 647F P.C.

Exhibit E. - Booking slip-Dated Sunday,  
February 14, 1978, Phillip  
McClain, bookee, 148 P.C.  
delaying, 148 P.C. resisting.



The Commission the recessed at 1908 hours, and reconvened at 1930 hours, and the matter was continued to Wednesday, February 21, 1979 at 1730 hours, in Room 551, Hall of Justice.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, CSR.)

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 92-79

POLICE OFFICER ROBERT LANDUCCI, TARAVAL POLICE STATION.

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Robert Landucci, Taraval Police Station, as follows:

SPECIFICATION NO. 1

Striking a Prisoner Without Lawful Cause or Excuse. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Threatening a Citizen in an Attempt to Cause the Withdrawal of a Complaint Against Him. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

by Charles R. Gain, Chief of Police, therefore be it

RESOLVED, that the hearing before the Police Commission on charges filed against Police Officer Robert Landucci, Taraval Police Station, be, and the same is hereby set for Wednesday, March 28, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

The Commission adjourned its meeting at 2140 hours.

  
\_\_\_\_\_  
SECRETARY



14 FEBRUARY 1979

REGULAR MEETING

The ~~Police~~ Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street on Wednesday, February 14, 1979 at 1730 hours in regular session.

PRESENT: Commissioners Murphy, Toler, Siggins

ABSENT: Commissioners Ciani, Sanchez

Commissioner Siggins presiding.

APR 24 1979

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RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

3872 SACRAMENTO STREET - PICNIC BASKET

- a) At 3872 Sacramento Street, install a 23' green zone, extending from west property line 23' east of same.

136 CHURCH STREET - FRIENDS OUTSIDE

- a) At 136 Church Street, install an 18' yellow zone, extending from south property line 18' north of same.

323-8th STREET - M.F.M. IMPORTS - DENIED

- a) At 323-8th Street, install a 22' yellow zone, extending from south side of driveway at 321-8th Street to 22' south of same. DENIED.

2208 FILLMORE STREET - SECONDS TO GO-CONTINUED  
FOR ONE (1) WEEK.

4341 CALIFORNIA STREET - WERNER STRAUSS CO.

- a) At 4341 California Street, revoke existing 24' yellow zone, extending from 24' west of east building line.





491 GREENWICH STREET - FOOD MART

- a) At 491 Greenwich Street, revoke existing 27' yellow zone, extending from 6' to 33' east of Grant Avenue.

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 51 feet of yellow zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

RESOLUTION NO. 96-79

POLICE NARCOTIC FUND - APPROVED

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the amount of \$6,000.00 charging same to Firm No. 355081 2021 133 01 as an advance on the Police Narcotics Fund for the month of February, 1979.

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

RESOLUTION NO. 97-79

POLICE CONTINGENT FUND - APPROVED

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of



Chief of Police, Charles R. Gain in the amount of \$4,000.00 charging same to Firm No. 355081 2021 132 01 as an advance on the Police Contingent Fund for the month of February, 1979.

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

RESOLUTION NO. 98-79

JOHN R. RUGGEIRO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John R. Ruggeiro against the City and County of San Francisco in the sum of \$138.54 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: September 22, 1978

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

RESOLUTION NO. 99-79

JOAN DIXON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Joan Dixon against the City and County of San Francisco in the sum of \$38.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 21, 1978

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

RESOLUTION NO. 100-79

R. JAY DE JESUS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of



R. Jay DeJesus against the City and County of San Francisco in the sum of \$30.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 14, 1978

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

RESOLUTION NO. 101-79

DON G. ATTIX

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Don G. Attix against the City and County of San Francisco in the sum of \$20.50 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 23, 1978

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

RESOLUTION NO. 102-79

DANIEL A. MANGAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Daniel A. Mangan against the City and County of San Francisco in the sum of \$20.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 18, 1978

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

RESOLUTION NO. 103-79

MRS. CATHERINE PHILLIPS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of





Mrs. Catherine Phillips against the City and County of San Francisco in the sum of \$20.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 19, 1978

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

RESOLUTION NO. 104-79

UNITED STATES FIDELITY AND GUARANTY  
COMPANY (JAMES N. ADAIR)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the United States Fidelity and Guaranty Company (James N. Adair) against the City and County of San Francisco in the sum of \$498.38 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: February 13, 1977

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

RESOLUTION NO. 105-79

CALIFORNIA STATE AUTO ASSOCIATION  
(STANLEY MOORE)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the California State Automobile Association (Stanley Moore) against the City and County of San Francisco in the sum of \$511.33 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: April 2, 1978

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

RESOLUTION NO. 106-79

POE ASHER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of



Poe Asher against the City and County of San Francisco in the sum of \$76.82 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: May, 1978

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

RESOLUTION NO. 107-79

ALLSTATE INSURANCE COMPANY  
(SAMUEL GROSS)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the Allstate Insurance Company (Samuel Gross) against the City and County of San Francisco in the sum of \$232.79 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: November 21, 1978

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "No report tonight."

Commissioner Siggins: "Are there any questions for the Chief?"

Commissioner Murphy: "I don't have any questions for the Chief, but I would like to make a very short report on the Mayor's Criminal Justice Council Meetings and I would like your help Chief if I leave something out.

As you know this Mayor's Criminal Justice Council has an Executive Committee that is made up of approximately 30 people of all Department Heads that are concerned with the Criminal Justice System and other representatives of related private agencies. Each year their major function is the disbursement of LEAA, Federal and other State Funds to assist in either rehabilitating people, preventing crime or other various problems connected with the Criminal Justice System.

They have what is called an 'Evaluation Assumption of Cost Committee' which decides which agencies in the City and County get these funds. There are 10



of them now that are being considered. They will be acted upon tomorrow but I would like to list them for you now. The first is Systems Improvement Project which is a project that is developed to see that records throughout the city are systematically kept and are retrievable. The others are a 'Consumer Complaint Mobile Courts Alternative Project, La Casa De Las Madres, Victim Witness Assistance Program, the Youth Services Bureau which was also recommended for forming a youth service task force sub-committee, Log Cabin Vocational Training Program, Form Project West, Re-Entry Center and the Mobile Assistance Patrol.'

I assume that most of these will be funded. I can give you the amounts of money which are sizeable. The Pre-Trial Diversion Project costs \$109,793.00 that is one of the larger ones. The Sheriff's Re-Entry Center \$82,985.00, Friends Outside \$9,183.00 and the Project Child Abuse is funded for \$18,000.00. The Victim Witness Program has \$82,760.00.

The Council is relatively time-consuming, but I guess it is worth it. Would you like to add anything to that Chief?"

Chief Gain: "No thank you Commissioner."

Commissioner Murphy: "Anyway, the Chief and I have spent a good deal of time so I hope it's worthwhile."

Commissioner Siggins: "Well, maybe this is the proper time to compliment Commissioner Murphy on her attendance and participation in the Mayor's Criminal Justice Council as a representative for the Police Commission because it has been reported back to me that you are a very active member and the time is well spent from what I understand."

Commissioner Toler: "I would like to echo those same remarks of President Siggins."

Commissioner Siggins: "Okay, thanks Commissioner Murphy."

RESOLUTION NO. 112-79

PATROL SPECIAL OFFICER ROGER C. LEVIT - REVOKED

RESOLVED, that the appointment of Patrol Special Officer Roger C. Levit, Beats Nos. 31, 47 and 67, Northern Police District, be, and the same are hereby revoked effective February 14, 1979, he





having sold his beats to Patrol Special Officer Serge Loukianoff.

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

RESOLUTION NO. 113-79

PATROL SPECIAL OFFICER SERGE LOUKIANOFF-APPROVED

RESOLVED, that Serge Loukianoff be, and he is hereby appointed a Patrol Special Officer for Beats Nos. 31, 47, and 67, Northern Police District; said appointment effective February 14, 1979, he having purchased Beats Nos. 31, 47, and 67, Northern Police District.

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

RESOLUTION NO. 109-79

REQUEST FOR A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$5,104.00 TO RECLASSIFY ONE POSITION OF 8217 STATION OFFICER TO ONE POSITION OF 8312 POLICE SERVICE AIDE.

RESOLVED, that the Police Commission hereby approves the request for a Supplemental Appropriation which will reclassify one position in Class 8217 Station Officer to Class 8213 Police Service Aide.

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

RESOLUTION NO. 110-79

REQUEST FOR A SUPPLEMENTAL REAPPROPRIATION FOR EXTENDED WORK WEEK (EWW) PROGRAM, IN THE AMOUNT OF \$400,000.00

RESOLVED, that the Police Commission hereby approves a request for a Supplemental Re-appropriation in the amount of \$400,000.00 to provide a third increment of funds which will allow the department to continue its Extended Work Week (EWW) Program.

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez



RESOLUTION NO. 111-79

REQUEST FOR A SUPPLEMENTAL REAPPROPRIATION IN THE AMOUNT OF \$1,950.00 TO PROVIDE ADDITIONAL FUNDS FOR THE POLICE DEPARTMENT'S PART OF THE GOLDEN DRAGON PROSECUTION.

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RESOLVED, that the Police Commission hereby approves a request for a Supplemental Re-appropriation in the amount of \$1,950.00 to provide additional funds for the Police Department's part of the Golden Dragon prosecution.

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

REQUEST FOR RESOLUTION ESTABLISHING FEES TO BE PAID BY APPLICANTS FOR VEHICLE FOR HIRE PERMITS FOR COSTS OF ADVERTISING, INVESTIGATING AND PROCESSING APPLICATIONS.

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Mr. Byrne: "Commissioners, this is required by the terms of Proposition K that the Commission set these fees. I submitted a letter, I think you were all given one before the meeting today, indicating what the Permit Bureau and the Legal Office feels would be an adequate amount in total to charge. The reason for the change is that subsequent to your approving the \$25.00 plus advertising, it was decided to have a Court Reporter Transcribe, or record and transcribe the proceedings of the first hearings and, therefore, we are going to need some additional fees."

Commissioner Murphy: "Why do we need a court reporter to do that?"

Mr. Byrne: "As the Commission adopted in it's meeting last week, we felt that if the first hearings which are likely to be quite long and involved are transcribed, for subsequent hearings, the Commission then can use that transcript and introduce that into evidence and then only seek from applicants any additional information. In other words, we are not going to hear the same testimony over and over again every ninety days if we have that transcript of the first hearings prepared."

Commissioner Murphy: "You foresee applicants coming back again and again, is that it?"





Mr. Byrne: "I am afraid so. Under the terms of the ordinance they have a right to re-apply immediately after the conclusion of any one hearing and we are trying to cut down the problem with subsequent hearings."

Commissioner Murphy: "How did you get to that point, the \$25 dollar fee? Of course, that would not include the transcript cost?"

Mr. Byrne: "That's correct, because it was after that point that it was decided that that would be the best way to handle it to prepare that transcript."

Commissioner Murphy: "But are we going to go on now with the \$40 dollars indefinitely?"

Mr. Byrne: "Well, the sum of \$40 dollars, Commissioner, is based on several estimates and assumptions based on very little concrete evidence as to the number of people who would testify and how long they are going to testify. What we try to do is over estimate the amount necessary so that we wouldn't have the problem of trying to collect from them afterwards. Hopefully, our experience the first time may lead to the Commission wanting to change downward the amount of the charge in the future."

Commissioner Toler: "Would this be the maximum charge even if it goes over?"

Mr. Byrne: "Well, I don't see any way really as a practical matter that we are going to be able to collect any charges over this amount from people who have gone to the hearing and probably been denied the permit and that's what we try to over estimate, the amount needed to take care of that problem."

Commissioner Murphy: "I want to be sure to get this straight. The first application will be \$40.00 and then say the permit is denied and then the applicant wants to come back in three months time. Is it that he already has a transcript of his first testimony so he doesn't have to go through all of that again, then does he pay the \$25.00 the next time, is that it, or does he pay another \$40.00?"

Mr. Byrne: "Well, what we anticipate doing is based on our experience of the first group of applicants we will be able to much more precisely calculate true cost and, of course, under the terms of Proposition K the Commission can, from time to time, change the amount to be charged and we can come back to you and ask that that be done."





Commissioner Murphy: "Yes, but you see the cost of the second application would not be as great because it wouldn't have the transcription of the proceedings."

Mr. Byrne: "That's true and we probably do not need to have a long and expensive transcript prepared for successive hearings."

Commissioner Murphy: "So you wouldn't charge as much for the second time one applies?"

Mr. Byrne: "We anticipate that the amount charged would go down then in the future but we have no way to calculate until we have that experience."

Commissioner Toler: "I move approval."

Commissioner Siggins: "Approval of the \$40.00 application fee for Vehicle for Hire Permits."

Commissioner Murphy: "I second it."

Commissioner Siggins: "All in favor?"

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

RESOLUTION NO. 108-79 - AMENDING RESOLUTION  
NO. 390-78

WHEREAS, the Police Commission in Resolution No. 390-78, and in accordance with the provisions of Proposition K, an initiative ordinance adopted by the voters of San Francisco on June 6, 1978, set the fee for filing application for Vehicle For Hire Permits at \$25.00 plus cost of advertising; and

WHEREAS, the Permit Bureau and the Legal Office have researched the cost of advertising and have made estimates as to the cost of a court reporter's transcript of the first hearing, which had not been previously estimated, and arrived at a total fee of \$40.00; therefore be it

RESOLVED, that pursuant to the provisions of Proposition K an initiative ordinance adopted by the voters of San Francisco on June 6, 1978, the



Police Commission does hereby amend Resolution No. 390-78 by establishing a fee of \$40.00 for the filing of application for Vehicle For Hire Permits.

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

RESOLUTION NO. 115-79

HEARING OF PATROL SPECIAL OFFICER ALBERT ROBLES,  
CENTRAL POLICE DISTRICT.

WHEREAS: the hearing of Patrol Special Officer Albert Robles, Central Police District, was called; and

WHEREAS, Mr. Wilson stated that Mr. Jeremiah F. O'Shea, the attorney for Patrol Special Officer Albert Robles, Central Police District, stated that because he had the flu he was requesting that the hearing be scheduled for March 28, 1979; therefore be it

RESOLVED, that the date for the hearing of disciplinary charges filed against Patrol Special Officer Albert Robles, Central Police District, is set for Wednesday, March 28, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

HEARING OF GRIEVANCE 71-78 FILED BY POLICE OFFICER  
BRUCE F. MAROVICH

The hearing of the Grievance of Police Officer Bruce F. Marovich, Crime Specific Task Force, was called, it having been set for this date. Officer Bruce Marovich's Grievance No. 71-78 having been denied by the Chief of Police is as follows:

"On May 15, 1978, Officer Bruce Marovich was assigned to the Solo Motorcycles, having been on the list for 7 and 1/2 years. On July 1, 1976, due to a reduction of solos, he was transferred to



Crime Specific Task Force.

On August 28, 1978, Sergeant William Groswird, Personnel Sergeant, informed Officer Marovich that he was to be returned to the Solos, per his request, and directed him to be examined by the Department's Surgeon, Dr. Norman Steiner, M.D.

On August 29th he was examined by Dr. Steiner who stated that he would not certify Officer Marovich for the Solos on the basis of a back condition.

Officer Marovich's suggested remedy to his Grievance is Immediate assignment to the Solos."

Officer Bruce Marovich appeared in person and was represented by Sergeant Michael Hebel, Attorney at Law.

Mr. Lawrence Wilson, Legal Office, appeared on behalf of the Police Department.

Sergeant Hebel then made an opening statement explaining why the matter was before the Commission, what it entailed, and the issue involved.

Sergeant Hebel then presented to the Commission Grievance Exhibit A, a packet containing six (6) letters.

Letter No. 1 - From Dr. Gilbert J. Kucera to Chief Gain Re: Officer Bruce Marovich, dated 9/1/78.

Letter No. 2 - From Michael S. Hebel, Grievance Committee, to Chief Gain Re: Officer Bruce Marovich Grievance 71-78, dated 9/13/78.

Letter No. 3 - A Progress Note by Dr. J. Arthur Weinberg, Re: Bruce Marovich, dated 9/27/78.

Letter No. 4 - From Michael S. Hebel, Grievance Committee to Chief Gain, Re: Bruce Marovich Grievance 71-78, dated 9/29/78.

Letter No. 5 - From Michael S. Hebel, Grievance Committee to Commission President Richard J. Siggins, Re: Officer Bruce Marovich Grievance 71-78, dated 12/27/78.





Letter No. 6 - From Michael S. Hebel, Grievance Committee to Sergeant Willie E. Frazier, Secretary, Police Commission, Re: Commission Hearing of Grievance 71-78, dated 2/7/79.

The following-named persons were called by the Grievant's attorney, sworn and testified:

Commander Robert C. Seghy  
Traffic Bureau

Sergeant William Grosword  
Personnel and Training

Lieutenant Charles Beene  
Crime Specific Task Force-Decoy Unit

Officer Bruce Marovich  
Crime Specific Task Force

The following-named person was called by Mr. Lawrence Wilson, attorney for the Police Department, sworn and testified:

Dr. Norman H. Steiner  
Police Surgeon

After receiving testimony from the above-listed parties, Commission President Siggins asked Chief Gain to comment.

Chief Gain then stated that the point Sergeant Hebel was attempting to make is in regards to another Officer who had received a back injury and it was understood that if that Officer had went for a certain period without injury he would go on the Solos and he did. He said that Officer has since incurred an injury. He continued by saying that at that time there could have been an exception to the rule but the position he was taking which he had responded to in his response to the grievance is that there are now explicit criteria which will be followed.

Sergeant Hebel then stated that one of his witnesses, Dr. Gilbert Kucera, had failed to appear and that the testimony to be given by the doctor was crucial to his clients position in this matter and he was, therefore, requesting a continuance.

The Commission granted Sergeant Hebel's request and continued the Grievant's hearing to Wednesday, March 21, 1979 at 4:30 p.m., in Room 551, Hall of Justice.

Recess Taken during the Grievance  
Hearing of Police Officer Bruce



Marovich:  
1943 hours to 1953 hours.

(The entire proceedings were taken  
in shorthand form by Hearing Reporter  
Dorsey A. McTaggart, CSR.)

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

The Commission adjourned its meeting at  
2217 hours.

  
\_\_\_\_\_  
SECRETARY



21 FEBRUARY 1979

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, February 21, 1979 at 1730 hours in regular session.

PRESENT: Commissioners Murphy, Sanchez, Siggins

ABSENT: Commissioners Ciani, Toler

Commissioner Siggins presiding.

APR 24 1979

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RESOLUTION NO. 123-79

RECOMMENDATIONS OF THE AWARDS COMMITTEE

RESOLVED, that the following-named members of the Police Department, be, and they are hereby granted Awards of Valor - Silver Medal, Bronze Medal, and Meritorious Conduct Awards, under the provisions of Section 5.119 and 5.131 of the Rules and Procedures of the San Francisco Police Department, as approved by the Awards Committee on Friday, February 16, 1979:

Police Officer William A. Arietta..Silver Medal of Valor

Police Officer Michael W. Conway...Silver Medal of Valor

Police Officer Louette M.

Colombano....Silver Medal of Valor

Police Officer Henry C. Hunter.....Silver Medal of Valor

Police Officer Henry L. Kirk.....Silver Medal of Valor

Police Officer Jeffrey C. Lindberg.Silver Medal of Valor

Police Officer Joseph A. Zamagni...Silver Medal of Valor

\*Police Officer Croce A. Casciato...Silver Medal of Valor

\*Police Officer Stephen L. Christie.Silver Medal of Valor

\*Police Officer Dennis A. Meixner...Silver Medal of Valor

\*Police Officer Thomas F. Powers....Silver Medal of Valor

\*Police Officer Stephen J. Venters..Silver Medal of Valor

Police Officer Sherman L. Ackerson.Bronze Medal of Valor

Police Officer Peter L. Canaan.....Bronze Medal of Valor





Police Officer Eddy L.

Castiglioni.....Bronze Medal of Valor

Police Officer Robert L. Derby.....Bronze Medal of Valor

Police Officer Robert J. Geary.....Bronze Medal of Valor

Police Officer Jeffrey T. Levin....Bronze Medal of Valor

Police Officer Michael P. Mallen...Bronze Medal of Valor

Police Officer Edward P. O'Toole...Bronze Medal of Valor

Police Officer Richard H. Van

Winkle.....Bronze Medal of Valor

Police Officer Hans B. Vigil.....Bronze Medal of Valor

Police Officer Michael E. Connors..Meritorious Conduct Award

Police Officer Robert F. Martinez..Meritorious Conduct Award

AYES: Commissioners Murphy, Sanchez, Siggins

NOT VOTING: Commissioners Ciani, Toler

NOTE: \*Changed from Bronze to Silver by vote of  
the Police Commission.

#### RESOLUTION NO. 124-79

#### REWARDS GRANTED TO MEMBERS OF THE POLICE DEPARTMENT

WHEREAS, the following-named members of the Police Department have been commended for courageous service under the provisions of Sections 5.119 and 5.131 of the Rules and Procedures of the San Francisco Police Department at a meeting of the Police Commission held on Wednesday, February 21, 1979; and

WHEREAS, Chief of Police Charles R. Gain, has recommended to the Police Commission that the said members be rewarded under the provisions of Section 8.405(c) of the Charter of the City and County of San Francisco; therefore be it

RESOLVED, that Police Officers William A. Arietta, Michael W. Conway, Louette M. Colombano, Henry C. Hunter, Henry L. Kirk, Jeffrey C. Lindberg, Joseph A. Zamagni, Croce A. Casciato, Stephen L. Christie, Dennis A. Meixner, Thomas F. Powers, and Stephen J. Venters, be, and they are hereby awarded Silver Medals of Valor and granted a reward of \$100.00 each as provided for under said section of the Charter; and be it further



RESOLVED, that Police Officers Sherman L. Ackerson, Peter L. Canaan, Eddy L. Castiglioni, Robert L. Derby, Robert J. Geary, Jeffrey T. Levin, Michael P. Mallen, Edward P. O'Toole, Richard H. Van Winkle, and Hans B. Vigil, be, and they are hereby awarded Bronze Medals of Valor and granted a reward of \$50.00 each as provided for under said section of the Charter; and be it further

RESOLVED, that Police Officers Michael E. Connors and Robert F. Martinez, be, and they are hereby awarded Meritorious Conduct Awards and granted a reward of \$50.00 each as provided for under said section of the Charter.

AYES: Commissioners Murphy, Sanchez, Siggins

NOT VOTING: Commissioners Ciani, Toler

#### RECOMMENDATIONS OF THE TRAFFIC BUREAU

Commissioner Sanchez: "I would just like to ask about that number 6. I am surprised that part of the request from the Community College wasn't to have a section of that for a blue zone. The Community College has been one of the leaders in providing handicap service and opportunity, which includes the mobile van and pickup points, and I don't know if this has been overlooked or not, but perhaps you might want to discuss that with them at some point and see if we can't chop down the white zone even further or maybe a quarter to have for the handicap parking or else for the van to come in. This has been a key problem, especially in the area down there as far as the traffic congestion is concerned. I know that in the past they have always taken a very creative stance towards this and I don't know if this was overlooked or, maybe, we could refer it back to them and see if there is a need for it."

Officer Hardeman: "Well, I certainly would not have any objections to taking the other roughly 48', which would be two car-lengths, and instead of putting meters in there we should have a blue zone for the parking, or for the vans to unload. I do think that that would certainly be more consistent with the school then having a 91' white zone."

Commissioner Sanchez: "I agree with that recommendation."

Officer Hardeman: "If you grant the 44', I will contact Mr. Shaw and suggest, make a suggestion to him and take application and come back to you."





Commissioner Siggins: "That fits in with the recommendation here then. Approval of this recommendation grants them 44'."

Officer Hardeman: "Yes, that was our recommendation."

Commissioner Sanchez: "I believe we might have a speaker to that. There is a gentleman in the back who raised his hand, I don't know if he represents the college or not."

George Shaw: "I am George Shaw of the Community College District, I would also concur with the balance of the curbing being designated as a blue zone."

Commissioner Sanchez: "Fine."

Commissioner Siggins: "Taht would take a separate application."

Commissioner Sanchez: "Could we just amend this now to include it and this way we save paper work and everything."

Officer Hardeman: "I will amend this application then to reflect the other 50 some odd feet to be two blue zones."

Commissioner Sanchez: "Fine. I would move approval for the Calendar therefore."

Commissioner Murphy: "Second."

Commissioner Siggins: "All in favor?"

AYES: Commissioners Murphy, Sanchez, Siggins

NOT VOTING: Commissioners Ciani, Toler

RECOMMENDATIONS OF THE TRAFFIC BUREAU -APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:





2208 FILLMORE STREET - SECONDS TO GO - DENIED

- a) At 2208 Fillmore Street, install a 22' white zone, extending from north property line 22' south of same. DENIED.
- b) Remove Meter FLM 2226. DENIED.

4018-24th STREET - EVERETTE'S WINDOW COVERING

- a) At 4018-24th Street, install a 24' yellow zone, extending from west property line 24' east of same.
- b) Remove meter 4014.

APPROXIMATELY 90-4th STREET-DOWNTOWN COMMUNITY  
COLLEGE CENTER

- a) At approximately 90-4th Street, install a 36' yellow zone, extending from north property line 36' south of same.

1455 BUSH STREET - ON LOK SENIOR HEALTH CENTER

- a) At 1455 Bush Street, install a 47' blue zone, extending from west building line 47' east of same.
- b) Revoke existing 18' yellow zone.
- c) Remove meter BUS 1427.

831 BROADWAY - ON LOK SENIOR HEALTH CENTER

- a) At 831 Broadway, install a 36' blue zone, extending from west building line 36' east of same.
- b) Revoke white zone of 36'.

3829 GEARY BOULEVARD - BRIDGE RADIO

- a) At 3829 Geary Boulevard, revoke existing 16' yellow zone, extending from 18' to 34' east of west line.

APPROXIMATELY 90-4th STREET-DOWNTOWN COMMUNITY  
COLLEGE CENTER-GRANTED

- a) At approximately 90-4th Street, install a 44' white zone, extending from 36' to 80' south of north building line.



- b) At approximately 90-4th Street, install a 52' blue zone, extending from 80' to 132' south of the north building line.

AYES: Commissioners Murphy, Sanchez, Siggins

NOT VOTING: Commissioners Ciani, Toler

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 70 feet of white and yellow zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Murphy, Sanchez, Siggins

NOT VOTING: Commissioners Ciani, Toler

Commissioner Siggins: "Chief, in regard to the voting on the Consent Calendar, I had some questions about one of the settlement approvals. It refers back to a payment that the City is going to be making of \$2,500.00. I would like to know whether or not anybody ever sat down with the police officers involved and told them that this is something that got us into trouble with the City Attorney's Office who wants us to pay \$2,500.00 in theory. I do think, that based on the letter that the City Attorney gave to you that there should be some type of corrective measures taken."

Chief Gain: "Mr. President, this is an incident that happened in 1975 and we will find out what may have happened by way of Internal Affairs and then, also, do what you are suggesting now."

RESOLUTION NO. 116-79

WILLIAM DEELY-CALIFORNIA STATE  
AUTOMOBILE ASSOCIATION

RESOLVED, that the recommendation of the City Attoreny for settlement of the claim of William Deely, California State Automobile Association against the City and County of San Francisco in the sum of \$152.56 as the result of a collision with a police vehicle be, and the same is hereby approved.

Date of Accident: October 2, 1978

AYES: Commissioners Murphy, Sanchez, Siggins

NOT VOTING: Commissioners Ciani, Toler



RESOLUTION NO. 117-79

RENATO AVANZINO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Renato Avanzino against the City and County of San Francisco in the sum of \$23.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 13, 1978

AYES: Commissioners Murphy, Sanchez, Siggins

NOT VOTING: Commissioners Ciani, Toler

RESOLUTION NO. 118-79

LINDA J. GRAVES

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Linda J. Graves against the City and County of San Francisco in the sum of \$22.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 12, 1978

AYES: Commissioners Murphy, Sanchez, Siggins

NOT VOTING: Commissioners Ciani, Toler

RESOLUTION NO. 119-79

THOMAS J. NUYENS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Thomas J. Nuyens against the City and County of San Francisco in the sum of \$24.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 11, 1978

AYES: Commissioners Murphy, Sanchez, Siggins

NOT VOTING: Commissioners Ciani, Toler





RESOLUTION NO. 120-79

BRAD MICHELIS AND BART MICHELIS  
AND THEIR ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Brad Michelis and Bart Michelis and their attorney in the sum of \$2,500.00 in Superior Court Action No. 692-482 entitled "Brad Michelis and Bart Michelis and their attorney vs. City and County of San Francisco, et al.," as the result of damages sustained be, and the same is hereby approved.

Date of Incident: April 6, 1975

AYES: Commissioners Murphy, Sanchez, Siggins

NOT VOTING: Commissioners Ciani, Toler

RESOLUTION NO. 121-79

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Sergeant Robert Hulsey)	\$234.00	(At the Specialized
Intelligence Unit	)	(Surveillance Equip-
		(ment Training Course
		(at Sacramento, Calif-
		(ornia, from February
		(4, 1979 to February
		(9, 1979, inclusive.

AYES: Commissioners Murphy, Sanchez, Siggins

NOT VOTING: Commissioners Ciani, Toler

RESOLUTION NO. 122-79

AUTHORIZING ATTENDANCE OF LIEUTENANT WILLIAM C. SCHEFFLER, CRIME SPECIFIC TASK FORCE, AT THE UNUSUAL INCIDENT COMMAND SEMINAR AT SANTA ROSA, CALIFORNIA, FROM FEBRUARY 20, 1979 TO FEBRUARY 22, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the



Chief of Police that Lieutenant William C. Scheffler, Crime Specific Task Force, be detailed to attend the Unusual Incident Command Seminar at Santa Rosa, California, from February 20, 1979 to February 22, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Lieutenant William C. Scheffler, Crime Specific Task Force, in a sum not to exceed \$160.50, will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Murphy, Sanchez, Siggins

NOT VOTING: Commissioners Ciani, Toler

#### CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "No report tonight Mr. President."

Commissioner Murphy: "I would like a report on our recruiting efforts for minority groups and others. Will you tell us, just briefly, of what has happened? A news article says cop recruiting session a flop."

Chief Gain: "That refers to one meeting where probably there were more news media representatives, unfortunately, then there were community persons. And what occurred was that the recruitment unit sent out some 150 invitations to community representatives and asked them to be present at the meeting. I have learned since then that for some reason some of the invitations didn't get to the persons until the night before, or the day before. As a consequence, about 10 persons showed up from the community. Several ministers, and there were about 6 police officers there, so that was a failure as far as that particular meeting. It won't happen again those late mailings, so that will be taken care of. As far as recruitment in general, here is where we stand, as of today about 15,000 applications have been disseminated within the community for the Q2 police officer position and approximately 2400 have been returned. I have been recruiting three (3) weeks ago with one police inspector and about 9 police officers in that recruiting program. I became convinced, as did POA and OFJ, that there was not enough police personnel involved in recruiting, so I assigned 8 police officers to POA and they are going to intensify the recruiting effort. I have assigned about 5 to OFJ so that the Officers for Justice, Police Officers Association and Police Department Civil Service now have a very intensified recruiting program. And without getting into





all of the content of that, we feel that we are going to get much better results because the main emphasis is going to be to achieve the goals that we have of appropriate percentage of minority group persons and women. Also, because we feel we need more applicants, 7 to 10,000, so we, at the bottom line, get more people. We have agreed today to extend the recruiting deadline from March 9 to March 23rd. So our recruiting will continue then until the 23rd of March. However, that will not change the examination date of April 7th, that will still take place, so that for all who have signed up there will be no need for any notifications of any different examination date. And, of course, we will have to do more training following the close of the recruiting process on the 23rd of March. The 23rd of March is when recruitment will end, 7th of April is when the examination will take place."

Commissioner Murphy: "Do you have any idea of the breakdown between blacks and others?"

Chief Gain: "I could have told you precisely. I attended a meeting at City Hall before coming here tonight and I have a breakdown sheet, but not in front of me. So rather than hazard a guess, right after the meeting I will give you a copy or we can get it during the meeting. It's in my office. A very precise percentage breakdown of minority group persons, women, and so on."

Commissioner Sanchez: "Could I just follow up on that if I might Commissioner, if, for example, you are through with the questions on that, I would like to throw out a question on that same item. I was just going to ask you if it has been done, I will give you an example, there are various shopping centers and I know that some of my kids are active in the scouts and whatever, and they always have liked their big thing out there with the scouts. I notice the last time I went out to a shopping center I forget if it was Serramonte or whatever, they had a number of law enforcement vehicles, including the San Francisco Sheriff's Department volunteers, etc., and etc. I didn't see anybody from the San Francisco Auxillary and/or the Police Department, but that doesn't mean they weren't there, we only went through one small part. Basically, what I was wondering if, I mean as an example, if, perhaps, a couple of cars, or maybe perhaps a detail of men and women, might go on let's say City College of San Francisco and have sort of like a career day whereby they are there for about three or four hours with the vehicle and basically have information questions. The same with San Francisco State College, the same with maybe any other Community College within the area, and perhaps even something like a couple of shopping centers out off of the avenues where they might be able to do this and maybe even downtown some place off Geary Street where they could have like a recruitment day, or whatever. So this way people could go up and ask





specific questions, and get information, and actually see the fact that there is a living person who is representing the San Francisco Police Department, female, male or whatever, and could really do this. I think that something like this might be able to get fairly good coverage and you might be able to get a number of things in this way."

Chief Gain: "I might say that we do have a total of 21 police officers in addition to non-police sworn officers in the effort. They have gone to Community College classrooms and whatever, they do have use of a van, we have let them use a van so we can follow through and have that van go to more locations than it's going now. We will do that."

Commissioner Murphy: "Do you have any ideas about using other persons than police officers? It seems to me that in some of the communities it might be possible that they have a perception of the uniform and so that might turn them off, and it would be good to have a status person in the community do the recruitment."

I was talking to Joletha Head and some other people out at Hunters Point the other day in this vein too, and I think they agreed. They thought the younger people were somewhat turned off by the image of the cop. Have we tried to use civilians?"

Chief Gain: "Well, we have Civil Service Staff who are non-Police, of course, and then we have four persons doing recruiting now with funding from our language minority grant. There is no present funding nor was there ever any plans for any funding to pay citizens, community persons. There was none for that. And the future depends on whether Civil Service can come up with that money or not."

Commissioner Murphy: "Well, I wasn't thinking about paying them. I know we don't have the money, that has been suggested too, but maybe we could get volunteers. People who are well-known in the community."

Chief Gain: "Well, for example that meeting, that was a failure, the purpose of which was to talk to 150 community representatives and to explain the recruiting program and the need for police officers, or whatever, so that they then, for example, ministers, would be making announcements in churches and the ministers who were there said they would do that. Now Joletha Head, for example, I talked to her a couple of times and she is cooperating fully. There is an issue going with some community persons that they don't want to do anything unless they get paid for it and that's not going to fly because we have no money to pay them."



But as far as talking to community representatives that are respected by other persons, we are trying that. As many as we can get."

Commissioner Murphy: "Were you able to talk to Dr. Gregory?"

Chief Gain: "I gave that to Sylvia Jacobson and asked her to call him the same day you gave it to me."

Commissioner Murphy: "You don't know whether she got to him or not?"

Chief Gain: "No, but I will be getting a report because we have a meeting every week on where we stand on recruiting, so I will get the feedback there."

Commissioner Murphy: "I talked to Art Agnos' Aide the other day about something else and it appears that part of the problem in the Tenderloin is that when they let people out of State Prisons they are given \$25.00 or something like that and very little counseling or follow-up, and so on.

It would seem to me that one of the ways to keep people from going back into the situation that perhaps started them off on their criminal career in the first place, would be to have some kind of a program that would keep them out of the Tenderloin. Something that would allow them to have a choice at least of where to go besides there. And he said he thought that it would be very likely that Art and Leo McCarthy would both be interested in some legislation.

I would like to see us have a meeting with Sarsfield, and you, the Mayor, and possibly some one from Art's Office, or Art himself, and one or two Commissioners to talk over what kinds of legislation would be useful for the Tenderloin problem.

The problem is the same in every big city that is concerned. So it is a statewide problem."

Chief Gain: "I will follow through on that and see if we can get a meeting."

MATTER OF PATROL SPECIAL BEAT #46 RE: CLAIM OF MRS. ERMA JEWETT: TO BE REPRESENTED BY ATTORNEY JERRY E. BERG. (CONTINUED FROM MEETING OF FEBRUARY 7, 1979)  
CONTINUED TO MARCH 14, 1979

Mr. Wilson: "President Siggins, I requested that this be put on the Calendar this evening to attempt





to get the matter settled. The parties have agreed on a Written Bill of Sale which lacks a purchaser, unfortunately, but it does formalize an agreement on splitting the proceeds and a potential purchaser is around."

Commissioner Siggins: "What's happening to the beat now?"

Mr. Wilson: "Mr. Torres is still operating the Beat."

Jack Dooling: "Mr. President, my name is Jack Dooling, representing Mr. Torres, and I have submitted four names to Mr. Berg and Mr. Wilson to have them checked out. Some say they can come up with so much money now and so much way down the road, which is not acceptable to Mr. Berg and Mrs. Jewett and myself. There was one that did come in today and said that he could raise so much money and he would come back before the beginning of March, and Mr. Berg has agreed, and Mr. Wilson has agreed, that we would like to put this over to March 14th, a period of three weeks. And either we have something then or we don't have anything."

Commissioner Murphy: "Do you know the price range involved?"

Jack Dooling: "Yes, the price has been arranged and agreed on and the split between the parties have been agreed upon."

Jerry Berg: "Yes, I would like to add a caviot to that and that is I have yet to see any of the financial records of the beat although these have been continuously promised, and so yes, we have agreed on a price but I am putting that contingent upon my having gone through the records which I have not yet seen."

Commissioner Siggins: "Well, someone should get those records on that because you are going to be back before us again on March 14th with this incomplete."

Jerry Berg: "Well Hopefully, I don't want to also get in the way of the sale. Hopefully, we will have a buyer and I will review the records and we can come before you on the 14th and say it's complete if the Department will approve the purchaser. The final decision rest with the Commission."

Commissioner Siggins: "Well, we are not in a very happy position to have someone that has a Special Beat to go dowlng around for two months and not giving any report, and then he said he would give a report, but I mean they (Patrol Special's) should have records available, should they not?"





Chief Gain: "They should have. I wasn't aware that commitment wasn't followed through. So we will take action tomorrow. They are obligated, I think, to give those records."

Jack Dooling: "Chief, and Mr. President, I will, hopefully, within the next couple of days if we can salvage an escrow, and prior to that time the record will be turned over to Mr. Berg and to his satisfaction before anything is closed."

Commissioner Siggins: "Well, I am sure it is not Mr. Dooling or Mr. Arnaud that was holding it up. Mr. Torres kind of begrudgingly said that he would do it and then he left here and it turns out that he hasn't done it."

Commissioner Murphy: "You feel you can get the records from him?"

Jack Dooling: "I believe with my best efforts I can do so."

Commissioner Sanchez: "Through the Chair, if I might make a comment on this, we have spent a lot of time and energy, perhaps not as much as both parties involved, especially Mrs. Jewett and her attorney, but there were some specific requirements set by this Commission pertaining to the Special Beat and what was necessary to comply. I would suggest that if these records aren't forthcoming within the next 48 hours that the Chief make a recommendation to the Commission to take immediate action so we could clarify this thing. This thing has gone on too long. It doesn't make a heck of a lot of sense to just let it float and have people not comply with specific request which are required of all Special Beats, not just this one as far as the Police Department keeping informed of the various accounts of monies coming to those beats."

Mr. Wilson: "I would agree with you Commissioner Sanchez. What you said Mr. Dooling might have left the impression that providing the records was contingent upon establishing Escrow and perhaps Mr. Berg should be provided with the records prior to Escrow."

Commissioner Sanchez: "That's correct."

Jack Dooling: "Okay, we will provide the records."

Commissioner Siggins: "Okay, we will set it over for three weeks then."



PUBLIC HEARING ON THE REVISED VERSION OF THE  
DEPARTMENT STAFF PROPOSED MISDEMEANOR CITATION  
PROCEDURES.

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Chief Gain: "Mr. President, members of the Commission, in regard to the Misdemeanor Citation Procedures, there is no objection to the Procedures as I understand, if the Commission has reviewed it and if they approve them they could be adopted tonight and disseminated. We are going to work with some individuals, Marilyn Neckes and others, in order to establish a good evaluation component because we are concerned about the 'jump rate,' that is failure to appear, so we will be meeting next week. And we committed ourselves to do that before. But we want to get Staff members of the Police Department so that we can set up procedures, get an accurate account on the members who do not show up for citations. We are also going to be talking about some meetings on impressing upon individuals to whom citations are given, that they do, by getting a citation, commit themselves to show up at appropriate times."

Commissioner Siggins: "Well, there has been a proposed General Order that was given to us and then it was revised, and then was sent to us on February 1st. Has there been any revision since then?"

Chief Gain: "No sir."

Commissioner Siggins: "Okay, so then, since that time we have received a letter from Judge Daniel O'Hanlon from the jail Overcrowding and Pre-Trial Detaining Committee of the Mayor's Criminal Justice Council, saying that the Committee endorses this proposal."

Chief Gain: "Yes, and also the Women's San Francisco Jail Study Group that originally initiated this, I won't mention how long ago now, they support it and they state that it falls somewhat short of their expectations but they support it."

Commissioner Siggins: "Okay, when there is a detention or a booking, the officer and then his supervisor has to give a reason for the booking under these rules. And I think it is one through nine."

Chief Gain: "Yes, if they don't have a reason, they have to issue a citation, so they indicate what their reason is among those explicit reasons that are given there."

Commissioner Siggins: "The reason why they are not given a citation. Then there has to be some explanation to the Department, I think, and then there is a learning process."





Chief Gain: "Yes, you see with each General Order, once the Commission approves and we send it out, we also attach a memorandum which we kind of summarize and explain significant points in that memorandum. So that's going to go, and also, this is going to take a lot of discussion with officers at the District Stations. So it's quite a training and educational process that has to take place. So we are going to do all of that. We will probably get help from interested persons in doing that because they would want to encourage policemen too."

Commissioner Siggins: "And actually there is a requirement that on the reverse of each citation that the citing officer reads the wording on the reverse side?"

Chief Gain: "Yes, they have to read it. That's important because some numbers of these persons who are going to be cited are not going to be impressed that that piece of paper means too much. So that's just a matter of emphasizing, just repeating what's on that. It has been suggested to us by knowledgeable persons, 1. a suggestion that we telephone all these people to remind them, which isn't reasonable, we don't think. Another suggestion, and experience indicate whether we should entertain that seriously, is sending out postcards to remind people. The point being is that that type of reminder is going to be necessary because the no-show rate could be high and it could defeat the citation program."

Commissioner Sanchez: "This is being recommended for a specific period of time whereby we could evaluate it and find out how effective it is in reference to....."

Chief Gain: "No sir, this is a permanent General Order which will go on until such time as it should be changed for some reason. We put an evaluation component within the General Order because we want to continually monitor how many citations are being issued, what the 'jump rate' is, particularly of course, monitor to insure that officers whenever required to issue a citation that they are issuing a citation in lieu of physical arrest. So it is not experimental at all, it is a permanent order."

Commissioner Sanchez: "It's a permanent order and then, hopefully, it will allow some sort of monitoring to show....."

Chief Gain: "We will have monthly Staff reports so we will know continuously what is going on."





Commissioner Siggins: "That is the statistics."

Chief Gain: "Numbers of arrest."

Commissioner Sanchez: "Plus the no-shows, those who were actually contacted and did show and those that didn't, etc., and amount of manpower time."

Commissioner Siggins: "There should also be some kind of analysis of the hours that were saved from the officers time."

Chief Gain: "I think previously, when we first submitted these citation procedures, if I am not mistaken, we submitted some documentation there as to expectation on man-hour savings. It has been two years ago. We now have a misdemeanor citation general order now, and what this does is give more emphasis in making it mandatory to cite when these certain conditions exist."

Commissioner Sanchez: "I would move for adoption."

Commissioner Murphy: "I second."

Commissioner Siggins: "All in favor?"

AYES: Commissioners Murphy, Sanchez, Siggins

NOT VOTING: Commissioners Ciani, Toler

Commissioner Sanchez: "Perhaps through the Chair, you may want to make note of the people who did come, I guess, to speak on behalf of this, they probably put a lot of time and energy and efforts taking a look at this, and I think for the record, we should show that we do acknowledge their time and effort along with our own staff in this very unique and creative-type program."

RESOLUTION NO. 114-79

REVISED VERSION OF THE PROPOSED GENERAL ORDER PERTAINING TO MISDEMEANOR CITATION POLICY AND PROCEDURES.

RESOLVED, that the Police Commission hereby adopts the Proposed General Order pertaining to misdemeanor citation policy and procedures.

AYES: Commissioners Murphy, Sanchez, Siggins

NOT VOTING: Commissioners Ciani, Toler



HEARING OF STATION OFFICER THOMAS O'BRIEN, RICHMOND  
STATION - CONTINUED FROM THE MEETING OF JANUARY 10,  
1979.

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Commissioner Siggins: "Has there been a plea entered in this as yet?"

Joseph Desmond: "No there has not been a plea entered yet Mister President, Mr. President for the record, my name is Joseph Desmond, and I am here appearing with Mr. O'Brien whose matter is here to be heard. This matter has been continued from time to time due to the fact that we are waiting for an adjudication in the courts. On February 6, of this year a verdict was rendered by a jury which found Mr. O'Brien guilty of a violation of Penal Code Section 246, a misdemeanor, however, Mr. O'Brien is not going to be sentenced until March 1st, a week from tomorrow, and I would ask the Commission if they would entertain my proposal that the matter be continued to after March 1st, because depending on the sentence and what goes down in the sentence in the probation report could have direct bearing on which way Mr. O'Brien would ask the Commission to move in this matter. And then again, it may make this other matter of a hearing completely moot."

Mr. Wilson: "The Department would oppose the motion to continue at this time insofar as the concern of the Jury. The matter is confirmed by the investigation of the Department. The 246 of the PC is firing a weapon into a dwelling house that was occupied at the time. A number of shots were fired. The officer was, by the blood test, under the influence of alcohol at the time."

Commissioner Siggins: "Well, that's not just 246, is Mr. O'Brien working at the present time?"

Joseph Desmond: "He is not Mr. President, he has not been working since the evening of the incident. He has been working on odd jobs to keep body and soul together since that time but he has not been working for the Police Department."

Chief Gain: "Commissioners, as a Station Officer, I suspended him pending a Hearing."

Joseph Desmond: "Well, I would submit to the Commission that it is under the law that a verdict of the Jury is merely hearsay, it is rather impressive hearsay I must admit, but it is still hearsay, and again I would be interested in getting a continuance. This matter is being investigated by the Probation Department and their report will be submitted to Judge Goff on March 1st."





Commissioner Siggins: "I don't find any problems in waiting for two weeks on the matter."

Chief Gain: "The only position we are taking is, from the Staff standpoint, is that it is not going to make any difference. That is the position we are taking."

Mr. Wilson: "In terms of the recommendation of the Department."

Commissioner Sanchez: "Well, I would suggest that we continue it to the 14th of March."

RESOLUTION NO. 125-79

HEARING OF STATION OFFICER THOMAS O'BRIEN, RICHMOND POLICE STATION

WHEREAS, the hearing of Station Officer Thomas O'Brien, Richmond Police Station, was called, it having been set for this date; and

WHEREAS, Mr. Joseph Desmond, Attorney at Law, who is representing Station Officer Thomas O'Brien, has requested that a date for the hearing be set after the criminal proceedings have been disposed of in this matter; therefore be it

RESOLVED, that the date for hearing of the disciplinary charges filed against Station Officer Thomas O'Brien, is set for Wednesday, March 14, 1979, at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Murphy, Sanchez, Siggins

NOT VOTING: Commissioners Ciani, Toler

CONTINUATION OF THE HEARING OF POLICE OFFICER THOMAS DEL TORRE, CENTRAL POLICE STATION

The hearing of Police Officer Thomas Del Torre, Central Police Station, was called, it having been continued from the meeting of February 7, 1979.

Mr. Lawrence Wilson, appearing as Prosecutor for the Police Department submitted a "Motion for Leave





to File Amendment to Charges" currently filed against Police Officer Thomas Del Torre.

Mr. Stephen Bruce Bley, attorney for the Defense, stated that he would object because this was the third hearing on this matter and also because Mr. Wilson has had more than sufficient time in private talks to his witnesses and listening to their testimony on the stand and after almost all of the Prosecution's case has been submitted, he is now adding a new allegation, "Using a Fist", and he was objecting to it on those grounds.

Mr. Wilson's motion was then considered by the Commission after which the Commission by a 2 to 1 vote, voted approval to amend the charges. Commissioner Sanchez prior to the voting gave his reason as to why he would vote against it.

AMENDMENT TO SPECIFICATION NO. 1

- h) That without lawful cause or provocation, Walker was struck repeatedly with boots and clubs and hands about the face and body by the accused and fellow Officer Edward Rodriguez.

AYES: Commissioners Murphy, Siggins

NAYS: Commissioner Sanchez

The following-named witnesses were called by the Prosecution, sworn and testified:

Mr. Bruce Mackay (Requested that his address be kept confidential)

Police Officer Judy Purcell  
Central Police Station

Station Officer Richard Campbell  
Central Police Station

Police Officer Robert Keays  
Central Police Station

Mr. Ted Schulker  
890 Green Street  
San Francisco, Ca.

The following Exhibit was entered into Evidence by the Prosecution:

Exhibit F. - Booking Slip-dated Sunday, February 19, 1978. Bruce R. Mackay, WMA 42 Years, Bookee, 647f P.C. Drunk, Release When Sober.



The Commission, having been informed at this point that a crucial prosecution witness was unavailable, indicated that the hearing was not getting to the point of resolving the evidence against the accused.

Mr. Bley, attorney for the defense, then requested a dismissal of the charges based upon the insufficiency of the Department to establish the culpability of the Officer.

Upon motion by Commissioner Sanchez, seconded by Commissioner Murphy, the Commission ordered the Charges filed against Police Officer Thomas Del Torre, Central Police Station, be, and the same hereby dismissed.

AYES: Commissioners Murphy, Sanchez, Siggins

NOT VOTING: Commissioners Ciani, Toler

CONTINUATION OF THE HEARING OF POLICE OFFICER  
EDWARD RODRIGUEZ, CENTRAL POLICE STATION

The hearing of Police Officer Edward Rodriguez, Central Police Station, was called, it having been continued from the meeting of February 7, 1979.

Mr. Lawrence Wilson, appearing as Prosecutor for the Police Department submitted a "Motion for Leave to File Amendment to Charges" currently filed against Police Officer Edward Rodriguez.

Mr. Stephen Bruce Bley, attorney for the Defense, stated that he would object because this was the third hearing on this matter and also because Mr. Wilson has had more than sufficient time in private talks to his witnesses and listening to their testimony on the stand and after almost all of the Prosecution's case has been submitted, he is now adding a new allegation, "Using a Fist," and he was objecting to it on those grounds.

Mr. Wilson's motion was then considered by the Commission, after which the Commission by a 2 to 1 vote, voted approval to amend the charges. Commissioner Sanchez, prior to the voting, gave his reason as to why he would vote against it.



AMENDMENT TO SPECIFICATION NO. 1

- h) That without lawful cause or provocation, Walker was struck repeatedly with boots and clubs and hands about the face and body by the accused and fellow Officer Thomas Del Torre.

AYES: Commissioners Murphy, Siggins

NAYS: Commissioner Sanchez

The following-named witnesses were called by the Prosecution, sworn and testified:

Mr. Bruce Mackay (Requested that his address be kept confidential)

Police Officer Judy Purcell  
Central Police Station

Station Officer Richard Campbell  
Central Police Station

Police Officer Robert Keays  
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The Commission, having been informed at this point that a prosecution witness was unavailable, indicated that the hearing was not getting to the point of resolving the evidence against the accused.

Mr. Bley, attorney for the defense, then requested a dismissal of the charges based upon the insufficiency of the Department to establish the culpability of the Officer.

Upon motion by Commissioner Sanchez, seconded by Commissioner Murphy, the Commission ordered the Charges filed against Police Officer Edward Rodriguez,



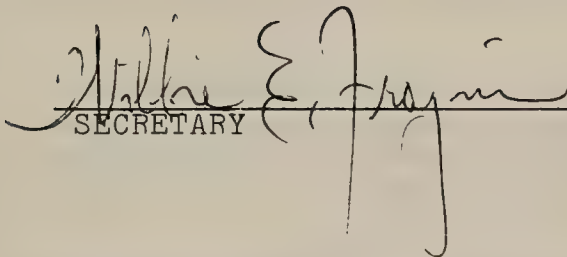


Central Police Station, be, and the same hereby dismissed.

AYES: Commissioners Murphy, Sanchez, Siggins

NOT VOTING: Commissioners Ciani, Toler

The Commission then adjourned its meeting at 2113 hours.

  
SECRETARY



28 FEBRUARY 1979

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, February 28, 1979 at 1730 hours in regular session.

PRESENT: Commissioners Murphy, Sanchez, Toler, Siggins

ABSENT: Commissioner Ciani

Commissioner Siggins presiding.

APR 25 1979

DOCUMENTS DEPT.  
S.F. PUBLIC LIBRARY

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

2208 FILLMORE STREET - SECONDS TO GO

- a) At 2208 Fillmore Street, install a 22' white zone, extending from north property line 22' south of same.
- b) Remove meter FLM 2226.

815 BUENA VISTA WEST - WALDEN HOUSE, INC.

- a) At 815 Buena Vista West, install a 22' yellow zone, extending from 4' to 26' west of east driveway.

353 CLEMENTINA - AVENUE SEWING CO.

- a) At 353 Clementina, install a 24' yellow zone, extending from 11' to 35' east of west property line.

APPROXIMATELY 110 PERRY - GRIFFIN BROS. WESTERN  
INC. - DENIED

- a) At approximately 110 Perry, install a 22' green zone, extending from 16' to 38' west



of building line. DENIED

4320 MISSION STREET - CABLE CAR RESTAURANT -  
CONTINUED TO MARCH 21, 1979

- a) At 4320 Mission Street, install a 26' green zone, extending from south property line 26' south of same. CONTINUED TO MARCH 21, 1979.

2235 JUDAH STREET - SECOND TIME AROUND - DENIED

- a) At 2235 Judah Street, install a 22' green zone, extending from east property line 22' west of same. DENIED

816 & 818 FOLSOM STREET - HOPKINS SCREEN PRINTING CO.

- a) At 816 & 818 Folsom Street, revoke existing 44' yellow zone, extending from west property line 44' east of same. REVOKED

AYES: Commissioners Murphy, Sanchez, Toler,  
Siggins

NOT VOTING: Commissioner Ciani

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 44 feet of yellow zone, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Murphy, Sanchez, Toler,  
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 128-79

YELLOW CAB COMPANY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Yellow Cab Company against the City and County of San Francisco in the sum of \$578.00 as the result of a colli-





sion with a police vehicle, be, and the same is hereby approved.

Date of Accident: August 15, 1978

AYES: Commissioners Murphy, Sanchez, Toler,  
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 129-79

ERNEST TENORIO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ernest Tenorio against the City and County of San Francisco in the sum of \$363.64 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 7, 1978

AYES: Commissioners Murphy, Sanchez, Toler,  
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 130-79

CALIFORNIA STATE AUTOMOBILE  
ASSOCIATION (THIOLLIER, JEAN)

RESOLVED, that the recommendation of the City Attorney for settlement of California State Automobile Association (Thiollier, Jean) against the City and County of San Francisco in the sum of \$137.50 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: July 20, 1978

AYES: Commissioners Murphy, Sanchez, Toler,  
Siggins

NOT VOTING: Commissioner Ciani



RESOLUTION NO. 131-79

HARRY J. PANGOS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Harry J. Pangos against the City and County of San Francisco in the sum of \$50.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: September 28, 1978

AYES: Commissioners Murphy, Sanchez, Toler,  
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 132-79

STATE FARM INSURANCE COMPANY  
(GRAHAM SMITHWICK)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of State Farm Insurance Company (Graham Smithwick) against the City and County of San Francisco in the sum of \$24.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 27, 1978

AYES: Commissioners Murphy, Sanchez, Toler,  
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 133-79

ELLEN PANASENKO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ellen Panasenکو against the City and County of San Francisco in the sum of \$23.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 23, 1978

AYES: Commissioners Murphy, Sanchez, Toler,  
Siggins

NOT VOTING: Commissioner Ciani



RESOLUTION NO. 134-79

AUTHORIZING ATTENDANCE OF SERGEANT GALE WRIGHT, TRAFFIC DIVISION, AT THE TRAFFIC INSTRUCTION UNIT GUIDE REVISION SEMINAR AT SOUTH SAN FRANCISCO, CALIFORNIA, FROM MARCH 21, 1979 TO MARCH 22, 1979, INCLUSIVE.

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RESOLVED, that the recommendation of the Chief of Police that Sergeant Gale Wright, Traffic Division, be detailed to attend the Traffic Instruction Unit Guide Revision Seminar at South San Francisco, California, from March 21, 1979 to March 22, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Sergeant Gale Wright, Traffic Division, will be directly reimbursed by participants by POST.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 135-79

AUTHORIZING ATTENDANCE OF POLICE OFFICERS DAVID ALEX AND DIRK BEIJEN, PERSONNEL AND TRAINING, AT THE FIREARMS INSTRUCTOR'S COURSE, AT EUREKA, CALIFORNIA, FROM MARCH 5, 1979 TO MARCH 16, 1979, INCLUSIVE

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RESOLVED, that the recommendation of the Chief of Police that Police Officers David Alex and Dirk Beijen, Personnel and Training, be detailed to attend the Firearms Instructor's Course at Eureka, California, from March 5, 1979 to March 16, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Police Officers David Alex and Dirk Beijen, Personnel and Training, in a sum not to exceed \$613.86 each will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani





RESOLUTION NO. 136-79

TRAVEL EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Sergeant James B. Hall	)	\$417.00	(At the Self Defense
Northern Station	)	each	(and Arrest Techniques
	)		(Instructor's Course, at
Police Officer Edgar	)		(Santa Rosa, California,
Springer	)		(from January 22, 1979
Mission Station	)		(to February 2, 1979,
			(inclusive.

AYES: Commissioners Murphy, Sanchez, Toler,  
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 139-79

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Lieutenant Robert O'Brien	)		(At the Middle Manage-
Richmond Station	)	\$525.90	(ment Training Course,
	)	each	(at Kelseyville, Cal-
Lieutenant Preston Nolan	)		(ifornia, from January
Southern Station	)		(22, 1979 to February
	)		(2, 1979, inclusive.
Lieutenant Olin C. Allgire	)		
Southeast Station	)		
	)		
Lieutenant David Dillon	)		
Mission Station	)		

AYES: Commissioners Murphy, Sanchez, Toler,  
Siggins

NOT VOTING: Commissioner Ciani



RESOLUTION NO. 138-79

AUTHORIZING ATTENDANCE OF LIEUTENANT JOHN J. JORDAN, INSPECTOR MICHAEL MULLANE, AND INSPECTOR MICHAEL BYRNE, HOMICIDE SECTION, AT THE CALIFORNIA HOMICIDE INVESTIGATOR'S ASSOCIATION ANNUAL CONFERENCE IN MONTEREY, CALIFORNIA, FROM MARCH 1, 1979 TO MARCH 2, 1979, INCLUSIVE.

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RESOLVED, that the recommendation of the Chief of Police that Lieutenant John J. Jordan, Inspector Michael Mullane, and Inspector Michael Byrne, Homicide Section, be detailed to attend the California Homicide Investigator's Association Annual Conference in Monterey, California, from March 1, 1979 to March 2, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Lieutenant John J. Jordan, Inspector Michael Mullane and Inspector Michael Byrne, Homicide Section, in a sum not to exceed \$90.00 each, will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 137-79

AUTHORIZING ATTENDANCE OF POLICE OFFICER WILLIAM KIDD, PERSONNEL AND TRAINING, AT THE VEHICLE OPERATIONS UNIT GUIDE REVISION SEMINAR AT LOS ANGELES, CALIFORNIA, FROM MARCH 7, 1979 TO MARCH 8, 1979, INCLUSIVE.

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RESOLVED, that the recommendation of the Chief of Police that Police Officer William Kidd, Personnel and Training, be detailed to attend the Vehicle Operations Unit Guide Revision Seminar at Los Angeles, California, from March 7, 1979 to March 8, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Police Officer William Kidd, Personnel and Training, in a sum not to exceed \$156.00 will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani





The members of the Commission and the Chief, having received and returned amended copies of the minutes of the meetings of January 17, 1979, January 24, 1979 and January 31, 1979, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

#### CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "No report Mr. President."

Commissioner Murphy: "Chief, I noticed driving here tonight along 6th Street, I noticed that only one car was parked in at the curb in the tow-away zone. How is the situation going now without towaway trucks?"

Chief Gain: "Well, generally as regards to the tow-away zones throughout the city we haven't been receiving any complaints. That's about what it amounts to."

Commissioner Murphy: "Well, isn't that amazing. Maybe we don't need tow-away trucks."

Chief Gain: "Well, we are issuing a lot of tickets. There is a real question of whether we need all of the tow-away zones that we have. As you may recall, we requested of the Traffic Engineering people to do a survey, to determine during this period of time when cars are not being towed, do we need all of the tow-away zones that we now have. I assume that study is underway. As also, you do know, the purchasing agent is going to let out a 6 months contract for towing, an interim-type contract, and then put out bids, I guess, to get a permanent tow-away contract. There is a real question as to how many tow-away zones we need. It may be, of course, that people are just tolerating and not complaining because they know what the issue is. That is the Contract with TCA ran out and we just have no tow-away services. We do, of course, have a real bad problem with abandoned cars. The city is piling up with abandoned vehicles and they are not being towed either. So we do need tow-away service for abandoned cars, there is no doubt about that."

Commissioner Murphy: "But we may not need as much as we had before, is that possible?"





Chief Gain: "Well, it depends on how many tow-away zones we end up with."

Commissioner Murphy: "Did we actually go up on the cost of those tickets?"

Chief Gain: "Yes, the fine was increased to \$25.00."

Commissioner Murphy: "Do you think that was a deterrent, not for the abandoned cars obviously."

Chief Gain: "I don't know, but that is what the survey should determine if it is being undertaken."

Commissioner Murphy: "Another thing would be is whether this is a combination as to the proportion of drivers and the number of tickets given to them, is it very dramatic?"

Chief Gain: "I don't have the figures. I can get them but there has been a substantial increase, of course, in the citations for tow-away zones because the cars are sitting there."

Commissioner Murphy: "It continues and that is the thing. I can see how a person might have been....."

Chief Gain: "Oh it continues, the traffic control people, instead of towing cars, are issuing tickets for parking in the no parking zones."

Commissioner Toler: "Chief, when do you think someones car has been abandoned?"

Chief Gain: "Well, you see under the State Law it is 72 hours. It has to remain in one place for more than 72 hours and then, under the law, it is abandoned. What usually happens, of course, is that the police don't act on their own initiative, they get a complaint. Usually neighbors will complain because the cars are abandoned in front of their homes or near their homes, become unsightly, they get dirty, debris gathers under the car so some neighbor will complain about the car being parked there. They complain to the police, the police officer goes out and marks the car, takes the reading on it and then 72 hours later it can be towed. There is a real problem with abandoned cars in San Francisco, no question about it."

Commissioner Murphy: "Where are we putting them?"



Chief Gain: "Right where they are. They are just sitting there. We are not moving them. We are towing from driveways, towing from accident scenes, only minimal towing. But abandoned cars are just sitting and it's becoming unsightly. We are getting some complaints about that but again citizens are understanding because they know that we don't have the tow-away service."

Commissioner Sanchez: "Through the Chair, if perhaps I might follow up on that a little bit too. I have noticed an increase in the abandoned cars, especially in white zones where school buses are loading, and also in a number of parks where kids play, especially around the Potrero area, Bayview Hunters Point, Mission, and up in Bernal Heights, and South of Market. As a matter of fact, I have seen a couple of cars where all of the tires were pulled off and they are just left in the middle of the park with broken glass and rusty areas where a kid could really get seriously injured. I was just wondering if perhaps through the media, through our police media, if we might consider doing like a couple of radio spots pertaining to what white zones are for again as far as bus loading of kids. We have been very lucky so far this year, we haven't had any accidents with kids as far as I know with the loading of buses, but I notice that there are numerous white zones, especially in the morning and in the afternoon, when the school busses bring these kids back to these areas to pick them up a lot of times they have to double park and triple park because, basically, these areas are filled. Also, the handicap bus stops sometimes and has all its lights blinking and you still have cars going right through, honking their horns, yelling at the driver, saying, 'what are you doing' and moving and things like that. So, perhaps, we can use a little bit of prevention. As an example, I think KFSO holds a number of, perhaps radio spots for the San Francisco Police Department on this and that projects and whatever, and perhaps we might do something as far as school safety, especially now where it is towards the tail end, which might be good re-enforcement for people who might have forgotten things like that, and, hopefully, we could have a very safe record for this year."

Chief Gain: "We will do it Commissioner."

PROPOSED CHANGE IN RULES AND PROCEDURES AMENDING RULE 2.38-PERSONAL GROOMING. (COPIES SENT TO EMPLOYEE ORGANIZATIONS)

Chief Gain stated that he had written a letter to the Commission transmitting a petition of 130 police department persons who want to effect the change in the hair grooming rules so that they can wear facial hair and





beards. And according to the Rules and Procedures, the Chief of Police transmits it to the Commission with approval or disapproval.

He continued by saying that as he indicated in his letter of transmittal, he didn't approve of the rule change. He stated, now it is before the Commission and it has also been sent to the Employee Organizations and what should follow now, at the appropriate time, is for the Commission to Calendar it so that those employees who have petitioned can have a hearing on the matter. He suggested that it be continued two weeks for setting of a date for a public hearing on the matter.

RESOLUTION NO. 140-79

REQUEST FOR SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$4,362.00 TO RECLASSIFY ONE VACANT POSITION OF 8217 STATION OFFICER TO ONE POSITION OF 7410 AUTOMOTIVE SERVICE WORKER.

RESOLVED, that the Police Commission hereby approves the request for a supplemental appropriation which will reclassify one vacant position in Class 8217 Station Officer to Class 7410 Automotive Service Worker.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 141-79

REQUEST FOR SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$25,000.00 TO INCREASE FUNDS FOR THE PURCHASE OF A 10 CHANNELS, 2 POSITIONS RADIO CONSOLE.

RESOLVED: that the Police Commission hereby approves a request for a supplemental appropriation in the amount of \$25,000.00 for the purpose of providing the additional funds necessary to purchase a 10 channels, 2 positions, radio console for the Communications Division, Support Services Bureau.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani





RESOLUTION NO. 126-79

POLICE OFFICER KATHERINE ANDERSON, PARK POLICE STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Katherine Anderson, Park Police Station, as follows:

SPECIFICATION NO. 1

Failure to Obey an Order of a Superior. (Violation of Section 2.45 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Improperly Leaving Her Assignment While on Duty. (Violation of Section 9.29 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Neglect of Duty. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 4

Failure to Answer Truthfully and Without Evasion Questions Propounded. (Violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department.)

by Charles R. Gain, Chief of Police; therefore be it

RESOLVED, that the setting of the date for the hearing before the Police Commission on charges filed against Police Officer Katherine Anderson, Park Police Station, be, and the same is hereby set for Wednesday, March 14, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani



SHOW CAUSE HEARING IN THE MATTER OF POLICE  
OFFICER DONALD FOUKE, NORTHERN POLICE STATION

Chief Gain: "Mr. President, the Sergeant is here to ask for a continuance, the reason being is that the Officer was not able to get the representation that he wanted. One reason being that POA members who would represent him are absent this week, in fact, and that as far as getting an attorney, I think the attorney hasn't been available too. Reflecting the position of the POA, because I know what it is, they too received a very late request and it really rests on Officer Fouke's shoulders. And it is out of kindness that we are pervading and asking the Commission to continue it. We would like to have it set for hearing next week with no further delays."

RESOLUTION NO. 127-79

SHOW CAUSE HEARING IN THE MATTER OF POLICE OFFICER  
DONALD FOUKE, NORTHERN POLICE STATION

WHEREAS, on February 20, 1979, Charles R. Gain, Chief of Police, submitted a letter to the Police Commission informing the Commission that Police Officer Donald Fouke, Northern Police Station, had failed to adhere to the probationary requirements given him at the Police Commission meeting of May 24, 1978; and

WHEREAS, a hearing on the matter, at the request of the Chief, was set for this date, but because of the unavailability of proper legal defense counsel, Police Officer Donald Fouke, through his Station Representative, requested a one week continuance, to which the Chief concurred; therefore be it

RESOLVED, that a hearing before the Police Commission at which Police Officer Donald Fouke may show cause why the Commission's suspension of the imposition of the penalty of termination should not be lifted and that Police Officer Donald Fouke be terminated pursuant to Resolution No. 253-78, be, and the same is hereby set for Wednesday, March 7, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Murphy, Sanchez, Toler,  
Siggins

NOT VOTING: Commissioner Ciani



CONTINUATION OF PERSONNEL CONVERSION PROGRAM.

Commissioner Sanchez: "I move that we table that for one week."

Commissioner Siggins: "Okay, but in the meantime we want to add some more information on that, right?"

Chief Gain: "Well, assuming as far as the other Commissioners, you sat in on the budget program or do you want it too again? Because you were in on all of our budget deliberations."

Commissioner Murphy: "Well, I would want it to refresh my memory."

Commissioner Sanchez: "We would just like an update of it."

Chief Gain: "We will try to get it to you in this Friday's mailing."

Commissioner Siggins: "Now the only thing was that we made a policy decision that we would have a conversion program. It had nothing to do with the Consent Decree and so now one Supervisor has requested that we hold off on it."

Chief Gain: "Right. It is the Finance Committee. The Finance Committee, as I reflect in my letter, the Finance Committee directed the Clerk of the Board to send a letter to the Mayor. They can't send one to the Commission. They did though send one to the Mayor and as I put in there they are going to request the Mayor to take a policy stance of not filling the remaining vacant 65 positions."

Commissioner Siggins: "Okay, so that's what I meant just putting it over a week, we should be filled in in regards to those positions."

Commissioner Murphy: "Just before we adjourn we have here a report apparently from Ray Shonholtz that you forwarded to us. Does that need any discussion?"

Chief Gain: "No, that was informational, I think I said, just for your information. It transmits observations of Mr. Shonholtz. It's just an informational type of thing."

Commissioner Murphy: "Is it working pretty well?"





Chief Gain: "Well, the Community Board Program, that's a separate issue, he wrote me a letter and he transmitted this with the letter.. And he said that it is still not working. So what I have done, I have responded to his letter and I have directed Deputy Chief Mullen and Captain Ray Canepa of South-east Station, to meet with him for the purpose of seeing if they can't make the program more effective."

Commissioner Murphy: "It seems like an awful lot of effort for it to just fold."

Chief Gain: "I think there has only been about 100 referrals. It has been about a two year program and it hasn't worked, and it's Ray Shonholtz' feeling, I think, because of the absence of efforts on the District Station's part. But I am not bringing that before the Commission now, let's just see what happens by way of more meetings and then at some other time bring it before the Commission."

Commissioner Sanchez: "I wondered, a while back we had requested, or I had requested through the Chair, that we have some base line data on the training capabilities of all of our different types of Law Enforcement people and Muni, Hospital, as an example, like Escort, the whole bit, Park and Rec."

Chief Gain: "It is being done and the reason we haven't gotten it yet is because of Budget and whatever, but it is in process."

Commissioner Sanchez: "The reason why I brought it up is I had met with the acting Hospital Administrator yesterday pertaining to the accreditation report of San Francisco General on the Law Suit or the Temporary Accreditation there and evidently they had said that the Sheriff's Department had done a study last year pertaining to the training and/or running of the Hospital Police Services and I wonder if, by chance, we had a copy of that, and if so, you might perhaps share it with the Commission because I think that we should take a look at that especially seeing that there was some discussion last year by then Supervisor Feinstein about the whole concept of the Sheriff's Department. And I think we ought to make sure that we have all of the data before we take a look at, basically, any policy areas and/or recommendations as far as we could best coordinate it."

Chief Gain: "We will get it for you."

The Commission then adjourned its meeting at 1837 hours.

  
SECRETARY



7 MARCH 1979

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, March 7, 1979 at 1730 hours in regular session.

PRESENT: Commissioners Murphy, Sanchez, Toler, Siggins

ABSENT: Commissioner Ciani

APR 30 1979

Commissioner Siggins presiding.

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RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

1601 HYDE STREET - GOLDEN GATE AQUARIUM

- a) At 1601 Hyde Street, install a 22' green zone, extending from 12' to 34' north of south property line.

2239-2241 JUDAH STREET - BLUE SKY RESTAURANT

- a) At 2239-2241 Judah Str-et, install a 22' white zone, extending from east property line 22' west of same.

501 HAYES STREET - SOCIAL SKILLS CENTER

- a) At 501 Hyaes Street, install a 30' white zone, extending from 10' to 40' west of east property line.

APPROXIMATELY 135 OAK STREET - DEPT. OF TRANSPORTATION

- a) At approximately 135 Oak Street, install an 18' red zone, extending from 3' to 21' west of east property line. (Red zone for gas pump deliveries.)



- b) Revoke 19' red zone, extending from 3' west to 22' east of property line.
- c) Install meter to replace red zone.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 19 feet of red zone, at the part of the City, at the location submitted, be, and the same is hereby approved.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 142-79

WILLIAM STEINSMITH AND  
HIS ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of William Steinsmith and his attorney in the sum of \$500.00 in Superior Court Action No. 702-443 entitled "William Steinsmith and his attorney vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: November 25, 1975

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 143-79

RICHARD L. MARSHALL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim





of Richard L. Marshall against the City and County of San Francisco in the sum of \$920.00 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: March 5, 1978

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 144-79

HOWARD NG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Howard Ng against the City and County of San Francisco in the sum of \$179.66 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: October 28, 1978

AYES: Commissioners Murphy, Sanchez, Toler Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 145-79

FRANK L. BITHER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Frank L. Bither against the City and County of San Francisco in the sum of \$28.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 14, 1978

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 146-79

MARGARET PLOSS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Margaret Ploss against the City and County of San



Francisco in the sum of \$23.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 30, 1978

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 147-79

CALIFORNIA STATE AUTOMOBILE ASSOCIATION - EDWIN WONG.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of California State Automobile Association (Edwin Wong) against the City and County of San Francisco in the sum of \$255.98 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: August 3, 1978

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 148-79

WENDY SINGLETON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Wendy Singleton against the City and County of San Francisco in the sum of \$35.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 17, 1978

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 149-79

JAMES A LORD

RESOLVED, that the recommendation of



the City Attorney for settlement of the claim of James A. Lord against the City and County of San Francisco in the sum of \$150.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 30, 1978

AYES: Commissioners Murphy, Sanchez, Toler,  
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO.150-79

AUTHORIZING ATTENDANCE OF DEPUTY CHIEF JEREMIAH P. TAYLOR, INVESTIGATIONS BUREAU, AT A CRIMINAL INVESTIGATION MANAGEMENT COURSE AT POMONA, CALIFORNIA, FROM MARCH 26, 1979 TO MARCH 28, 1979, INCLUSIVE.

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RESOLVED, that the recommendation of the Chief of Police that Deputy Chief Jeremiah P. Taylor, Investigations Bureau, be detailed to attend a Criminal Investigation Management Course at Pomona, California from March 26, 1979 to March 28, 1979, inclusive, be and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Deputy Chief Jeremiah P. Taylor, Investigations Bureau, in a sum not to exceed \$311.00 will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Murphy, Sanchez, Toler,  
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 151-79

AUTHORIZING ATTENDANCE OF LIEUTENANT WILLIS CASEY, NARCOTICS UNIT, VICE CONTROL DIVISION, AT THE NARCOTIC COMMANDERS' COURSE AT SACRAMENTO, CALIFORNIA, FROM MARCH 26, 1979 TO MARCH 28, 1979, INCLUSIVE.

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RESOLVED, that the recommendation of the Chief of Police that Lieutenant Willis Casey, Narcotics Unit, Vice Control Division, be detailed to attend the Narcotic Commanders' Course at Sacramento, California, from March 26, 1979 to March 28, 1979, inclusive be, and the same is hereby approved; and be it further





RESOLVED, that the expenses incurred by Lieutenant Willis Casey, Narcotic Unit, Vice Control Division, in a sum not to exceed \$172.00 will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Murphy, Sanchez, Toler,  
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 152-79

AUTHORIZING ATTENDANCE OF SERGEANT ANTHONY RIBERA, PLANNING AND RESEARCH, AT THE CRIMINAL LAW INSTRUCTION UNIT GUIDE REVISION SEMINAR AT LOS ANGELES, CALIFORNIA, FROM MARCH 15, 1979 TO MARCH 16, 1979, INCLUSIVE.

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RESOLVED, that the recommendation of the Chief of Police that Sergeant Anthony Ribera, Planning and Research, be detailed to attend the Criminal Law Instruction Unit Guide Revision Seminar at Los Angeles, California, from march 15, 1979 to March 16, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Sergeant Anthony Ribera, Planning and Research, in a sum not to exceed \$156.00 will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Murphy, Sanchez, Toler,  
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 153-79

AUTHORIZING ATTENDANCE OF ASSISTANT CRIMINALIST RALPH WHITTEN, CRIME LABORATORY, AT THE FORENSIC SEROLOGY WORKSHOP AT EMERYVILLE, CALIFORNIA, FROM MARCH 19, 1979 TO APRIL 6, 1979, INCLUSIVE.

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RESOLVED, that the recommendation of the Chief of Police that Assistant Criminalist Ralph Whitten, Crime Laboratory, be detailed to attend the Forensic Serology Workshop at Emeryville, California, from March 19, 1979 to April 6, 1979, inclusive, be, and the same is hereby approved; and be it further



RESOLVED, that the expenses incurred by Assistant Criminalist Ralph Whitten, Crime Laboratory, in a sum not to exceed \$115.80 will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 154-79

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Lieutenant William C. Scheffler)	\$160.50	(At the Unusual
Crime Specific Task Force	)	(Incident Command
		(Seminar, at Santa
		(Rosa, California,
		(from February 20,
		(1979 to February
		(22, 1979, inclusive.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 155-79

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Sergeant Mario Busalacchi	)\$322.00	(At the Gambling
Vice Crimes Division	) each	(Frauds Institute
	)	(at Anaheim, Calif-
Police Officer Joseph Pieralde)		(ornia, from February
Vice Crimes Division	)	(19, 1979 to February
		(22, 1979, inclusive.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani





RESOLUTION NO. 156-79

LEAVE OF ABSENCE WITHOUT PAY PENDING HEARING OF  
CHARGES-APPROVED

WHEREAS, Police Officer Charles C. Gale, Support Services-Records, was suspended without pay effective at 1600 hours, Sunday, February 18, 1979, pending hearing of the charges before the Police Commission; and

WHEREAS, Police Officer Charles C. Gale has requested a Leave of Absence Without Pay pending hearing of charges before the Police Commission; therefore be it

RESOLVED, that Police Officer Charles C. Gale, Support Services-Records, be placed on a Leave of Absence Without Pay at his request for a period of ninety (90) days commencing Sunday, February 18, 1979 at 1600 hours, until his hearing is held before the Police Commission.

AYES: Commissioners Murphy, Sanchez, Toler,  
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 157-79

LEAVE OF ABSENCE WITHOUT PAY PENDING HEARING OF  
CHARGES-APPROVED

WHEREAS, Sergeant Joseph J. Cuneo, Support Services-Records, was suspended without pay effective 1600 hours, Sunday, February 18, 1979, pending hearing of charges before the Police Commission; and

WHEREAS, Sergeant Joseph J. Cuneo has requested a Leave of Absence Without Pay pending hearing of charges before the Police Commission; therefore be it

RESOLVED, that Sergeant Joseph J. Cuneo, Support Services-Records, be placed on a Leave of Absence Without Pay at his request for a period of ninety (90) days commencing Sunday, February 18, 1979 at 1600 hours, until his hearing is held before the Police Commission.

AYES: Commissioners Murphy, Sanchez, Toler,  
Siggins

NOT VOTING: Commissioner Ciani





RESOLUTION NO. 158-79

LEAVE OF ABSENCE WITHOUT PAY PENDING HEARING OF  
CHARGES - APPROVED

WHEREAS, Police Officer Albert J. O'Keefe, Support Services-Communications, was suspended without pay effective 1600 hours, Sunday, February 18, 1979, pending hearing of charges before the Police Commission; and

WHEREAS, Police Officer Albert J. O'Keefe has requested a Leave of Absence Without Pay pending hearing of the charges before the Police Commission; therefore be it

RESOLVED, that Police Officer Albert J. O'Keefe, Support Services- Communications, be placed on a Leave of Absence Without Pay commencing Sunday, February 18, 1979 at 1600 hours, until his hearing is held before the Police Commission.

AYES: Commissioners Murphy, Sanchez, Toler,  
Siggins

NOT VOTING: Commissioner Ciani

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "No report tonight, Commissioners."

CONTINUATION OF THE PERSONNEL CONVERSION PROGRAM -  
CONTINUED TWO WEEKS.

Chief Gain: "Mr. President, members of the Commission, as requested by the Commission, we have given you a letter which delineates all of our positions in our Personnel Conversion Program and what positions presently occupied by police officers, and what would be effected. And we gave it to you late because of the gathering of information. What I would request at this time is that the Commission continue this matter for two weeks, one reason being is that you have just got this information, and another is that a letter has come to the Commission Office from the Board of Supervisors, it was addressed to the Mayor, requesting that the Mayor and the Commission freeze these positions. So I think that more consideration should be given to it after you receive that letter which you will get probably tomorrow."

Continued as requested.



RESOLUTION NO. 161-79

REQUEST FOR SUPPLEMENTAL APPROPRIATION IN THE  
AMOUNT OF \$40,000.00 FOR RENOVATIONS TO PHOTOGRAPHY  
LABORATORY.

RESOLVED, that the Police Commission hereby approves a Request for Supplemental Appropriation in the amount of \$40,000.00 for the purpose of remodeling the Photography Laboratory, Criminalistics Division, Support Services Bureau.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

BUDGET ADDENDUM, FISCAL YEAR 1979-1980

Chief Gain: "Commissioners, on the Budget Addendum for fiscal year 79/80, as you know we have already submitted to you and you have approved and sent to the Mayor's Office, the Budget which amounts to 95% of our current fiscal year funding. This Budget Addendum then, is one which request the same funding for next fiscal year as we have this year, in other words, 100% funding instead of 95% funding. And in the 2nd paragraph of the letter we relate to you what we have budgeted for at the 100% level. We want funds to increase the work hours of members and employees to a 40 hour week, because it had to be reduced on the 95% budget, and to hire 160 officers which would be routinely to fill our vacancies. Now we have passed out to you, and I apologize for having to do it this way but it was necessary, a couple of documents, because what I recommend to the Commission on line 7 of the second paragraph is that we request in this Budget Addendum document the hiring of 33 clerks to replace station officers. And I want to request that the Commission delete that item. And the reason I am making that request is that as you recall, in regard to the current fiscal year funding, our plan was to hire 33 clerks who would replace 33 station officers. Those station officers would exercise status rights and become Police Service Aides. And the plan with the Police Service Aides was to place them on the street doing certain tasks now being fulfilled by police officers. And in that way we would, in effect, realize the equivalent of 33 police officers doing other type of tasks. What has occurred is this, in regard to the Consent Decree, as we know, the department's strength will be increased to 1971 officers. That fact alone, which we will realize in the next couple of years, brings about a condition where we will have sufficient police officers to do all the tasks. We won't need the Police Service Aides. And then another, and the most compelling reason, is that I am convinced that we simply





will not be able to have budgeted, by the Mayor or the Board of Supervisors, the funding for an additional 33 clerks, in view of the substantial cost of hiring during the next two year period, 1971 police officers. So I recommend then that we delete those 33 clerks. The money amount is 368 thousand dollars. That is the amount that it would cost to hire 33 clerks. In a letter we have given you addressed to Chief DeAmicis from Lieutenant Lennon, if you agree to deleting what we are recommending for the use of that 368 thousand dollars, is one, a Child Abuse Program, hiring two individuals at a cost of 60 thousand dollars to put back in our budget, and you have another document, staffing of Personnel Division money to fund very needed positions in our Personnel and Training Division. A Senior Departmental Personnel Officer, Personnel Analyst and clerical people so that we can then do the type of personnel management that a department of this size, not only that we are now, but will be, requires. We simply do not have the expertise by way of personnel management individuals to do the job. So we recommend that at a cost of 150 thousand 729 dollars. Then I recommend to the Commission that we fund 15 thousand dollars so as to increase the money amounts related to our Meritorious Award Program. The money award now given in regard to a Gold Medal of Valor is 200, I recommend that we double that to 400 dollars, for a Silver Medal it is 100 now, I recommend we double that to two hundred, for a Bronze Medal it's 50, I recommend we fund that at 100 dollars so that our current budget for Awards is 15,000 and that would increase it to 30,000, but I feel that the time is past. The money assigned to these various awards was adopted years and years ago. Times have changed and I think the types of actions that are taken merit more recognition from the Police Commission. So I recommend that for your consideration, and then lastly, we would assign to our sworn salary account, 142 thousand 637 dollars. The total amount then 368 thousand 366 dollars would be for utilization of that money we were requesting to fund 33 clerks."

Commissioner Sanchez: "Through the Chair, if I might speak to the position presented by the Chief at this point. I have read over the initial budgets as I know we all have, and I think the Chief's recommendation at this time pertaining to redeployment of funds pertaining to 33 clerks is really based on what the posture and needs are of the San Francisco Police Department. Taking a look at the programs that he is recommending be included to replace these, I think, really speaks to the whole heart of the incentive of creative and equitable legal services in law enforcement within San Francisco, even though it does seem like a small amount of funds. Project A, the Child Abuse Program, really is asking for the maintenance of three Child Victim Specialist which has been a very creative Department with the San Francisco Law Enforcement Agencies and a number of our supportive services at San Francisco General. The Personnel Division Program really is providing the technical assistance and manpower to maximize our personnel's efforts in trying to not only train, but maintain and provide incentives for our men and women within the Department. The Meritorious Awards Program,





I think, really puts us at the Commission level, to say, that given the high risk of our men and women who are performing above and beyond the call of duty, we feel that their services, and basically, their commendations should really be at that level. So, basically, we are putting it down into the incentives for people within the rank and file of Law Enforcement who are doing an excellent job. So the other in reference to the sworn, I think is rational given the complexities of, basically, the system today and given that fact, I would recommend that we delete the 33 clerks positions and I would move for the adoption of programs A through D as presented by the Chief. Is there a second?"

Commissioner Murphy: "I would like more discussion on it before we second it."

Commissioner Siggins: "Go ahead."

Commissioner Murphy: "I am certainly for the Child Abuse Program of \$60,000 and I am also for the Personnel Division Program for \$150,000 to update the personnel activities and so on.

I am not saying we don't need the other items, I don't know what the \$143,000 to the sworn salary account is but whatever that is I would propose that instead of the last two items C and D that we ask the Mayor if she would consider the Pilot Program for an Office of Civilian Complaints. The reason I believe it could be financed is you could leave in the \$60,000 then about \$380,000 would be left so subtracting the \$150,729 it would leave \$257,270 dollars that could be used for OCC.

I think it's high time that we at least tried this operation and I would urge the Commission to give the Mayor an opportunity to consider it. I think that when we find cases over a year old, serious cases, as in the last one we heard was the Chinese New Year arrest of over a year ago, then it is high time we had some competition at least in the operation. It has been recommended, we have heard it discussed and discussed it all over the place and according to the Department's figures it will cost \$198,881 dollars - about two hundred thousand dollars and we have that much, and as much as I would like to have the Awards higher and our 'Slush fund', whatever that is, that sworn salary account pie, or whatever, I would still think we ought to try OCC and I feel morally obligated to at least give the Mayor an opportunity to turn it down. If she wants to consider it, and I would like to amend your motion, or include in your motion the two items you suggested and that we delete D and C and substitute the Office of Citizen Complaints."

Commissioner Sanchez: "Or perhaps through the Chair, I did state a motion but there was no second, but if I might just make a motion and see what happens on this:



That the Department delete the 33 clerks and at this point fund option A and B and then we can get that done and then we can, I think, perhaps another motion for these other two items."

Commissioner Siggins: "Alright."

Commissioner Sanchez: "Okay, I would move therefore, that we delete 33 clerks and that the funds be re-allocated for option A and B which would be the Child Abuse Children Investigation Unit and the Personnel Division Program, I think there is a second on it."

Commissioner Siggins: "Second the motion."

Commissioner Murphy: "Second."

Commissioner Siggins: "Okay, any further discussion on that? All in favor?"

AYES: Commissioners Murphy, Sanchez, Toler,  
Siggins

NOT VOTING: Commissioner Ciani

Commissioner Siggins: "Do you have the sense of that Chief? Now we are deleting \$368,366 from the 79/80 budget and adding the Child Abuse Program in the amount of \$60,000 and to the Personnel Division Program the amount of \$150,729."

Chief Gain: "For \$210,729 dollars."

Commissioner Sanchez: "Right, 210 that is the sub-figure. I would like to speak to Commissioner Murphy's comments pertaining to items C and D. I, personally, have a number of mixed feelings pertaining to the demonstration project as presented, and as it has been kicked around over the years and I guess one of the major concerns is number one, adequate funding. It is always as if we are going to provide that type of system to provide an accountability model. I really haven't seen any hard data to show me that, basically, if we didn't put those resources into positive re-enforcement and training within our own rank and file that we wouldn't have, just basically, as an effective output rather than to hire X number of perhaps investigators to take a look at that. But again I don't think that's a problem for the Mayor as much as it is right now for this Commission which is addressing this budget. But I would like to strongly say that basically the Meritorious Award Program is really asking for a minor amount of funds, \$15,000 dollars a year which may or may not be allocated but certainly would be used as part of our priorities as a Commission to the men and women who basically put their life on the line for the citizens of San Francisco and I would hate to see something like this deleted at this point because I think in essence we should be expanding these options rather than main-





taining or else eliminating at this point. So--  
Burl?"

Commissioner Toler: "I would like to echo Commissioner Sanchez' remarks regarding the Meritorious Awards Program, I feel also that it is something that we should have and it is something that he is recommending that we constantly have a need for so I would make a motion to include the amount necessary for an increase in the Meritorious Awards Program."

Commissioner Sanchez: "I would second that motion."

Commissioner Siggins: "The motion that we are talking about right now is the increase of \$15,000 dollars for Meritorious Awards, question? All in favor?"

AYES: Commissioners Sanchez, Toler, Siggins

ABSTAINING: Commissioner Murphy

NOT VOTING: Commissioner Ciani

Commissioner Toler: "Or through the Chair to the Chief, regarding Commissioner Murphy's concerns regarding these programs that she wants to see put into effect, how are we going to speed up the bringing about the case that we had before us that she expressed it took a year to bring, things that happened a year ago as far as the Chinatown New Year Celebration?"

Chief Gain: "We are speeding them up right now. We are getting faster investigations now compared to what we were getting. So we are doing them more expeditiously."

Commissioner Siggins: "That particular case, Commissioner Murphy, was delayed at the request of the two officers and their counsel many, many times."

Commissioner Murphy: "Oh, I know that. The time lapse is just one of the problems. If we had a really full group working there I am sure that there wouldn't be a time lapse. I am worried about the citizens that are scared to death to complain because they are going to be investigated by others who went through all of this--I get it every day, I get it at home constantly. People are frightened of the police, I'm not afraid of the police, obviously, and I know that a lot of people that have good sense aren't and they do protect."





I am not talking against them, all I am saying is that our image is that we don't give a damn, shoving it off, keeping it out, keeping it away, don't do it, and so on, and I think we have a real obligation to try this trial method which is only taking 8 civilian inspectors to go around and make an investigation when there is a very, very touchy or very difficult case. I think there is another question about it, have we ever tried to document the history of a person who has had excessive force complaints one time after another, right straight down the line? Now some people have had them and I think that's unfortunate, maybe they shouldn't be policemen, I don't know, but I just think we ought to try it. We have had this three years running, we have had to spend thousands of hours, thousands of dollars and every time it comes up it gets smaller and smaller and smaller, of course, obviously, if you don't get enough money it's not going to succeed, you can bleed it away any way you want to then it's not going to succeed. I think you have to try it and that's the reason it is very unpopular I am sure, I don't think you really mean it but if the shoe fits let's wear it and I think you ought to try it so, therefore, I will move that we present this budget as developed by the Department of \$198,881 dollars to the Mayor with the Commission's recommendation that she consider it and pass it on to the Board of Supervisors for their consideration."

Commissioner Toler: "I second Commissioner Murphy's motion."

Commissioner Siggins: "There is a motion made and seconded regarding \$198,881 for an Office of Citizen Complaints pilot program that was presented earlier this year."

Commissioner Sanchez: "I Have a question if I might, where did we get the 198, it seems at this point we are talking about a sub-set of 142,637.00 that wasn't your....."

Commissioner Murphy: "That is the budget figure....."

Commissioner Sanchez: "So therefore, you have a motion right now saying that you want \$198,000 dollars to be allocated for the Office of Civilian Review, right? For the....."

Commissioner Murphy: "For the Civilian Complaints instead of Review Board."

Commissioner Sanchez: "Alright, thank you."



Chief Gain: "May I state that with the budget approvals now out of the \$368,000 there is now \$142,637 remaining."

Commissioner Murphy: "Which isn't enough of course, and that's the reason I didn't want it to go through and it did, and that's the reason I abstained, and I think it's ridiculous."

Chief Gain: "I bring this point up, if I may, Commissioners, because our mandate at this stage is to submit a budget that is 100% and not more than 100% of current fiscal year funding. If the Commission now votes for \$198,881 dollars for the Citizen Complaints Office you will be exceeding that which we have left. We have \$142,000 dollars."

Commissioner Toler: "Or through the Chair to Commissioner Murphy, is the Pilot Program for \$198,000 dollars?"

Commissioner Murphy: "This is as I understand it, maybe you or the experts can make it more clear: We had a base developed here of 165,738 and then if you add on certain things it would add up to almost \$200,000 which we had before we put on the other things. Now I am not against an officer getting \$400 dollars when he has risked his life or anything like that, that's the last thing in the world. I do think you have to give it some priority. May be this isn't the time to do that but we did it and that's it."

Chief Gain: "Well, I was just listening to your motion which was for 198,881 dollars which is \$56,244 dollars over the 100% level."

Commissioner Sanchez: "Or through the Chair, if I might, because there is a motion before the Commission now. I have problems with the motion as it now stands, I guess not only in reference to the actual amount allocated but the whole principal. It seems to me that one of the problems that I have noticed on the Commission since my limited tenure has been the fact that the Commission, basically, and Staff, could use some extra help as far as gut work pertaining to a number of the packages that we read and personnel files, and whatever, and many times I know we get X number of packages to review and sometimes many of us are very busy and I know all of us are busy and due to whatever reasons there is a lag, it seems to me that one of the first priorities, I think, should be is to make sure that we do have adequate manpower to insure that basically the Commission operates within the time frame that is in the best interest of the Department and of the City and County of San Francisco. And I forget





what that Section D is in that sworn salary account but I would hope that there would be adequate staffing, especially in reference to legal services. I know that we have added one, basically, but I think that this is definitely a problem as far as time and efforts, and perhaps duplication of services and fragmentation and whatever, and I think that's one of our first priorities as a Commission is to maximize our own efforts and times and to focus on a number of good things and also those areas that must be looked at in an objective fashion. Therefore, I would be voting against the motion as it now stands."

Chief Gain: "May I clarify to the Commission what D is, the \$142, 637, I meant to do this before, but let me do it now. What we are recommending is that the \$142,637 dollars be placed in the salary account and what can happen with that money is one; if it went in the next fiscal year budget that way it could amount to what needed funds we might have, but if they are not needed, we don't have an identified personnel need for it, it would be salary savings. That is what it would be."

Commissioner Murphy: "I would just as well take out the money amount, because I am not sure that is a firm amount. Is that a firm amount, that \$198,881 dollars?"

Chief Gain: "Yes, you are referring to the previous budget document."

Commissioner Murphy: "This is one that was worked up in your absence. What difference would it make if you took 8 people out of the present IAB Division plus a Supervisor and put them into a pilot project which would act as an Office of Civilian Complaints and the difference would be, at the top level, I assume that's what they are talking about here, would be \$198,000. If you did it on the very, very lowest basis it is \$155,754, but I notice we find money in places, unused money, when we need it very badly for various things and I would like to see us ask for a pilot project as an Office of Civilian Complaints."

Chief Gain: "Commissioner, what I just did, of course, was to identify where the money could come from out of \$142,000. I identified that."

Commissioner Murphy: "Yes, that's not much but it is some."

Commissioner Siggins: "Maybe I should interject at this time. I am going to vote against this particular motion and it sounds as though it will not carry. But I share some of the problems that Commissioner Murphy





pointed out. We have asked the Department to come up with some of the Procedural changes in the Internal Affairs Bureau. We just haven't received that yet. I want to give that more time to see if that cannot be worked out. And now today; you (Bob Barry, President, S.F.P.O.A) the Police Officers' Association has to voice their feelings about this matter.

We know you are opposed to it but what about the officers in your Association that have complaints filed against them time after time after time? Why not bring them in, sit down with them, and have your own simulated peer review? Why not explain to some of them the legal fees that you have spent on them? Obviously you might do that, but I think we ought to have a better Department if some of the officers, instead of taking a defensive attitude every single time somebody is brought up before this Commission. They should say the public is right somewhere along the line. Some of these people are victims of excessive force, let's watch it and improve the Department, improve the image of the Department. Everybody that came before this Commission at the Public Hearings that we held in 1976 were not wrong.

They were the most well-meaning people I have ever heard with legitimate complaints against the San Francisco Police Department. For various reasons they felt that their complaints were not being handled properly by the Internal Affairs Bureau. We want to improve and I have voted against the Civilianization type of thing in the past but I still want to see the Internal Affairs Bureau improve, and I want to see that those procedures are put into effect so that we can document some of these things. I, myself, have been subpoenaed by lawyers asking for the reputation of an officer and I usually don't know the reputation but I do know, at some point, one particular officer has been up before us time and time again after investigation by the Internal Affairs Bureau. Some City Attorney had to bring in, I think, the file of over 23 different complaints against some particular officer in the Department. Do you think all 23 were groundless? I question it."

Bob Barry: "Mr. President, I am not going to make any wholesale general statements about the conduct of officers in general. I think we have to look at the specific cases of each particular complaint and, yes, I am opposed to the Civilian Complaint Division. We have been for the last couple or three years. We have opposed it vehemently at this level through Meet and Confer processes, at the Finance, and the full Board of Supervisors Hearing. There are many, many reasons for it but to address some of the comments specifically, and I won't belabor the points, but the people Commissioner Murphy, I don't believe, are scared to make complaints against police officers, I think they have developed into an unprecedented rate in this city. There are over 1200 complaints filed against police officers every single year. So the



people are not intimidated by the presence of police officers investigating complaints. They community meetings that were established over the last few years were not well attended throughout the city. The same people were there from the White Panther Party. I think we all recognize that fact by the signatures of the people who were on petitions out there. They were the same in seven of the meetings. Now throughout this country we did extensive research on the Office of Civilian Complaint's in New York, Philadelphia, Berkeley, Detroit, Chicago, and it's all the same. The Pilot Projects were started at phenomenal cost to the taxpayers. They were brought in with the intention of eliminating the sworn officers from investigating complaints against police officers and maintaining a strictly civilian tradition. That has never happened in any major city. In fact, the civilian divisions have increased substantially in size at a great burden to the taxpayers, and it's true in Berkeley, New York, and especially in Chicago. The Office of Civilian Complaint in Berkeley recently received a report card from an outside agency and they didn't do a good job."

Commissioner Siggins: "President Barry, it would be wrong for us to continue a discussion of our Office of Civilian Complaints and compare it with anything like Berkeley's or any other city. Because the testimony before this Commission has always been that this is a different program from anything that has been tried before."

Bob Barry: "Okay, let me just conclude with these points Mr. President, the Internal Affairs Division of this police department is one of the largest investigative units that we have in this police department. They investigated well over 1200 complaints last year. The amount of disciplinary actions that have been taken against officers, especially within the last year or year and half with the efforts of Chief Gain, have been unprecedented. I think officers are being disciplined. If they are wrong, they should be disciplined. As President of the Association and representing some 1500 police officers, I don't condone excessive force or any other conduct unbecoming an officer. And the record of Internal Affairs is exemplary. The rates are the same all over the country. The amount of complaints being sustained are tremendous and I think they are doing a good job. The funding is going to create a burden on the taxpayers and I think we really have to look at the bottom of the issue here. Proposition 13, just passed, the city and this state said they don't want excessive government, they don't want another bureaucratic division in this police department at a cost that is going to exceed eventually over \$500,000. I think we are all aware of that, so I would ask that you vote against this proposal. We will certainly speak against the issue at the Board of Supervisors and at the Finance Committee. I just don't think it's the right time, especially in light of Prop. 13, and the amount of government that is supposed to be cut from San Francisco and all across this state."





Commissioner Toler: "Or through the Chair, President Barry, in view of what President Siggins cited regarding your Police Officers and trying to discipline them, do you have any plans as far as bringing about changes within the Department, because, I'm sure you too will realize that some cases as indicated, 23 complaints against one officer, is a lot of complaints. What are your plans as far as improving this type of condition within the Department?"

Bob Barry: "Well, I am certainly going to take a look at it. I am certainly not going to make a statement now. I think it is a little premature. I have just been elected, I don't know the problem as generally as you, but I certainly am going to look at it and prepare recommendations to be made and I will certainly make them."

Commissioner Toler: "Thank you."

Bob Barry: "Thank you very much."

Commissioner Siggins: "I call for the question. All in favor?"

AYES: Commissioners Toler, Murphy

NAYS: Commissioners Sanchez, Siggins

NOT VOTING: Commissioner Ciani

Commissioner Siggins: "There is a two to two vote on the motion and it does not carry."

Commissioner Sanchez: "I would move for Sub-set D, which would be the sworn salary account of \$142,637."

Commissioner Murphy: "Second."

Commissioner Siggins: "All in favor?"

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

Commissioner Murphy: "I would like to request that we, along with President Siggins, try to get this year, at least, the procedural part of the program for the OCC for which could be done with the present IAB, maybe that would help us to get a little bit more on the ball."





Commissioner Sanchez: "Just one question, if I might, does the investigation unit participate in the curriculum of the Police Academy on an on-going basis?"

Chief Gain: "Yes, there is an explanation as to what IAB is, yes."

Commissioner Sanchez: "I just wondered that perhaps we might even expand that so this way we could really get at, you know, basically, when they start coming through the Academy they are aware of what the overall posture of the Department is, and how this is one unit which is operational and the justification for it. This might be more in reference to prevention rather than after the fact."

Commissioner Siggins: "when our Commission visited the Academy the last time, I think 90% of the questions involved the pending Office of Citizen Complaints."

RESOLUTION NO. 159-79

BUDGET ADDENDUM FOR THE FISCAL YEAR 1979/1980

RESOLVED, that the Police Commission hereby approves the Budget Addendum for Fiscal Year 1979/1980 as submitted by the Chief of Police and transmits it to the Mayor.

Third Increment (95%) \$78,385,022

100% Funding \$82,607,201

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 160-79

SUPPLEMENTAL BUDGET ESTIMATE AND RECOMMENDATIONS OF THE SAN FRANCISCO POLICE DEPARTMENT FOR FISCAL YEAR 1979/1980

RESOLVED, that the Police Commission hereby approves the Supplemental Budget Estimate and Recommendations of the San Francisco Police Department for the Fiscal Year 1979/1980 as submitted by Chief of Police Charles R. Gain and transmits it to the Mayor.

100% Funding \$82,607,201 Supplemental \$84,405,390

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani



RESOLUTION NO. 162-79

REQUEST OF MR. MAXI GARCIA FOR PERMISSION TO DECREASE HIS JITNEY PASSENGER CAPACITY FROM FIFTEEN (15) PASSENGERS TO TWELVE (12) PASSENGERS.

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WHEREAS, Mr. Maxi Garcia on October 25, 1978, requested permission to increase his jitney passenger capacity from Twelve (12) passengers to fifteen (15) passengers, which was granted by the Police Commission in Resolution No. 482-78; and

WHEREAS, Mr. Maxi Garcia appeared before the Police Commission this date and stated that it was not feasible for him to operate with an increased passenger capacity and is therefore requesting the Police Commission to rescind Resolution No. 482-78, and grant him permission to return to his original jitney passenger capacity of Twelve (12); therefore be it

RESOLVED, that it is the order of the Police Commission that the request of Mr. Maxi Garcia for the Police Commission to rescind it's Resolution No. 482-78, of October 25, 1978, and grant him permission to return to his original jitney passenger capacity of twelve (12), be, and the same is hereby approved.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 163-79

REQUEST OF MR. JULIO BRACCO FOR PERMISSION TO INCREASE HIS JITNEY PASSENGER CAPACITY FROM TWELVE (12) PASSENGERS TO FIFTEEN (15) PASSENGERS.

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WHEREAS, Mr. Julio Bracco requested by letter a hearing before the Police Commission for permission to increase his passenger capacity from twelve (12) passengers to fifteen (15) passengers; and

WHEREAS, the Police Commission, after hearing a favorable report from the Police Department's Permit Bureau and Mr. Bracco's testimony on having purchased the appropriate amount of insurance to cover such increase if granted, approves Mr. Bracco's request; therefore be it





RESOLVED, that it is the order of the Police Commission that the request of Mr. Julio Bracco for permission to increase his jitney bus passenger capacity from twelve (12) passengers to fifteen (15) passengers, be, and the same is hereby approved; and be it further

RESOLVED, that said increase of passenger capacity is subject to review by the Police Commission on August 15, 1979, and if proven satisfactory, approval will be granted thereafter for a period of one (1) year, from August 15, 1979 to August 15, 1980.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 164-79

REQUEST OF MR. HAROLD D. SEESKIN TO SURRENDER HIS JITNEY BUS PERMIT TO THE CITY AND COUNTY OF SAN FRANCISCO

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WHEREAS, Mr. Harold D. Seeskin appeared before the Police Commission and stated that he was moving away from the City and County of San Francisco and had no further interest in operating his Jitney Bus Permit; and

WHEREAS, after further discussion with Mr. Seeskin and his submitting various other reasons for not wanting to keep his Jitney Bus Permit any longer, i.e., shelved for extended periods of time, difficulty in getting a driver, the Commission concurred with this request; therefore be it

RESOLVED, that the request of Mr. Harold D. Seeskin to surrender his Jitney Bus Permit, No. 37773 to the City and County of San Francisco, be, and the same is hereby approved.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 165-79

REQUEST OF MRS. EVELYN ASSALINO TO SURRENDER HER JITNEY BUS PERMIT TO THE CITY AND COUNTY OF SAN FRANCISCO

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WHEREAS, Mrs. Evelyn Assalino appeared before the Police Commission and stated that she was never a Jitney driver but her husband was and had driven it since 1951; and





WHEREAS, she stated her husband is now deceased and that she had tried to put her name on the permit, keep the taxes paid, and in the meantime try and sell it but no one wanted it; and

WHEREAS, she stated that she did not want to continue to try and keep the permit by continuing to pay out money for which there would be nothing in return, she was now requesting to surrender it to the City and County of San Francisco; therefore be it

RESOLVED, that the request of Mrs. Evelyn Assalino to surrender her Jitney Bus Permit, No. 8, to the City and County of San Francisco, be, and the same is hereby approved.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

AMENDING RULE 5.131 OF THE RULES AND PROCEDURES OF THE SAN FRANCISCO POLICE DEPARTMENT BY ADDING RULE 5.131.6 (COPIES SENT TO EMPLOYEE ORGANIZATIONS)-  
CONTINUED OFF CALENDAR.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

SHOW CAUSE HEARING OF POLICE OFFICER DONALD A. FOUKE, NORTHERN POLICE STATION

The Show Cause Hearing of Police Officer Donald A. Fouke, Northern Police Station, was called, it having been set for this date. Police Officer Donald A. Fouke was accused of violating the terms of his probation as follows:

Pursuant to Police Commission Resolution No. 253-78, the Police Commission sustained three charges against Officer Fouke for conduct arising out of his alcohol consumption. For two of these charges he was suspended for five (5) days, for the other, he was terminated as a member of the San Francisco Police Department, however, the termination order was suspended for one year under the condition that he completely and totally abstain from alcohol for one (1) year and attend



Alcohol Abuse Meetings as directed by Officer John Devine, Special Assistant to the Chief of Police. Officer Devine reports that Officer Fouke has:

1. Attended Alcholics Anonymous meetings regularly, but that on February 16, 1979, Officer Fouke consumed a large amount of alcohol and was assisted to his home by members of the California Highway Patrol.
2. That later, he was arrested for 23102 CVC (drunk driving) by the Daly City Police and during his arrest he was abusive and resisted the arrest and booking process.
3. That although he refused to take any field or chemical test for alcohol consumption, all who had contact with him believed him to be intoxicated.
4. That he admitted to Officer Devine, to consuming a quantity of alcoholic beverages on the evening of February 16, 1979,

in a letter to the Commission from Charles R. Gain, Chief of Police.

Police Officer Donald A. Fouke, appeared in person and was represented by Sergeant Michael Hebel, Attorney at Law.

Mr. Robert Byrne, Attorney at Law, Legal Office, appeared as the Prosecutor for the Police Department.

An opening statement was made by Sergeant Hebel.

The following witnesses were called by Sergeant Hebel, sworn and testified:

Captain Joseph T. Lordan  
Commanding Officer  
Northern Police Station

Police Officer John F. Devine  
Special Assistant to the Chief of Police

Police Officer Donald A. Fouke  
Northern Police Station

Police Officer Paul Chignell  
Northern Police Station

A closing statement was then made by Sergeant Hebel.



A closing statement was made by Chief of Police Charles R. Gain.

The Commission took the matter under submission after which the following resolution was adopted:

RESOLUTION NO. 166-79

DECISION - SHOW CAUSE HEARING OF POLICE OFFICER DONALD A. FOUKE, NORTHERN POLICE STATION

WHEREAS, on February 20, 1979, Charles R. Gain, Chief of Police, submitted a letter to the Police Commission informing the Commission that Police Officer Donald A. Fouke had violated one of the Probationary Requirements imposed upon him at the Police Commission meeting of May 24, 1978, as follows:

1. Attend Alcohol Abuse meetings as directed by Officer John Devine for a period of one year; and
2. Completely and totally abstain from alcohol for one year,

and

WHEREAS, Officer Devine brought to the Chief's attention that Officer Fouke had violated the second condition under which his sentence of termination was suspended in that:

1. On February 16, 1979, Officer Fouke consumed a large amount of alcohol, was assisted to his home by the California Highway Patrol, and later arrested for 23102 CVC (Drunk Driving) by the Daly City Police.
2. That during his arrest, Officer Fouke was abusive and resisted the arrest and booking process.
3. That although Officer Fouke refused to take any field or chemical test for alcohol consumption, all who had contact with him believed him to be intoxicated.
4. That Officer Fouke admitted to Officer Devine that he had consumed a quantity of alcoholic beverages on the evening of February 16, 1979;

and





WHEREAS, the Chief requested that the Police Commission set a hearing date on an Order to Show Cause why the suspension of the imposition of penalty should not be lifted, and Officer Donald A. Fouke terminated pursuant to Resolution No. 253-78; and

WHEREAS, a hearing on this request was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, March 7, 1979, and that on Wednesday, March 7, 1979, the matter was submitted to the Police Commission for decision; and

WHEREAS, Officer Fouke and his attorney, Sergeant Michael Hebel, agreed to a waiver of disabilities occurring, if any, as a result of the modification of the penalty imposed upon Officer Fouke in Police Commission Resolution No. 253-78, providing the Commission imposes further penalties; therefore be it

RESOLVED, that it is the order of the Police Commission that the procedural waiver by Officer Fouke and his counsel, be, and the same, hereby accepted and that Officer Fouke's probationary status shall continue in full force and effect from May 24, 1978 to, and including, May 24, 1979; and be it further

RESOLVED, that the Police Commission finds that Officer Donald A. Fouke, for the events describing his activities on February 16, 1979, is guilty of violating Section 2.13 (Unofficerlike Conduct) of the Rules and Procedures of the San Francisco Police Department; and be it further

RESOLVED, that for said violation, Officer Donald A. Fouke, shall be suspended from the San Francisco Police Department without pay for a period of ninety (90) calendar days commencing Wednesday, March 14, 1979 at 0001 hours, and terminating on Monday, June 11, 1979, at 2400 hours.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani



HEARING OF POLICE OFFICER HERSCHELL BRISCOE,  
RICHMOND POLICE STATION

The hearing of Police Officer Herschell Briscoe, Richmond Police Station, was called, it having been set for this date. Police Officer Herschell Briscoe was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Failure to Maintain Radio Contact.  
(Violation of Section 9.147 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Leaving Police Vehicle Unattended.  
(Violation of Section 9.149 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Failure to Truthfully Answer.  
(Violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department.)

\*SPECIFICATION NO. 4

Failure of Senior Officer to Exercise Duties Responsibly. (Violation of Section 2.09 of the Rules and Procedures of the San Francisco Police Department.)

\*Deleted: Inappropriately served upon Officer.

in a properly verified complaint by Charles R. Gain, Chief of Police of the San Francisco Police Department.

Police Officer Herschell Briscoe appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Lawrence Wilson, Attorney at Law, appeared as the Prosecutor for the Police Department.



The reading of the Charges was waived.

Mr. Bley, on behalf of Police Officer Herschell Briscoe, entered an oral plea of "Guilty" to all Specifications.

The Commission took the matter under submission, after which the following resolution was adopted:

RESOLUTION NO. 167-79

DECISION - HEARING OF POLICE OFFICER HERSCHELL BRISCOE,  
RICHMOND POLICE STATION

WHEREAS, on January 22, 1979, Charles R. Gain, Chief of Police of the San Francisco Police Department, made and served charges against Police Officer Herschell Briscoe, Richmond Police Station, as follows:

SPECIFICATION NO. 1

- a) That on October 8, 1978, at 1940 hours, Officers Herschell Briscoe and Herbert Marks, assigned to Taraval Station's radio car 155, responded to the scene of a minor vehicle accident at 19th Avenue and Junipero Serra at which one party was allegedly intoxicated;
- b) That after the allegedly intoxicated party passed a field sobriety test administered by the accused and his partner, the parties involved in the accident exchanged information and went on their way;
- c) That upon completion of the assignment the accused left the scene and did not place or cause the radio patrol car to be placed back on "In service" status;
- d) That attempts to contact Officers Briscoe and Marks after the time they arrived on the scene at 19th Avenue and Junipero Serra were made by both Taraval Station and Communications at 2047, 2048, 2049 and 2055 hours, and also by telephone calls to possible locations to which car 155 might have gone ;





- e) That there was no response from the accused or his partner to these radio call attempts to contact car 155;
- f) That the failure by the accused to respond to radio calls from 1940 hours until 2140 hours did constitute a violation of Rule 9.147 of the Rules and Procedures of the San Francisco Police Department which states;

"Shall remain within hearing of a signal calling for his services and promptly answer and respond to all police calls assigned to him."

SPECIFICATION NO. 2

- a) That each and every allegation in paragraphs (a) through (e) of Specification No. 1 is incorporated herein as if each were fully stated:
- b) That, upon being notified of the lack of radio contact with car 155, members from Company I made a search of the district in order to locate car 155;
- c) That at 2110 hours, Car 155, was located at 47th Avenue between Quintara and Pacheco Streets, unoccupied and not visibly attended;
- d) That the station was contacted by Officer Marks at 2140 hours;
- e) That this action by Officer Marks in leaving the car unattended was a violation of Rule 9.149 of the Rules and Procedures of the San Francisco Police Department which states:

"Shall not leave his vehicle unattended except when necessary in the performance of police duty or in cases of personal necessity."

SPECIFICATION NO. 3

- a) That each and every allegation in paragraphs (a) through (e) of Specification No. 1 and paragraphs (b),



(c), and (d) of Specification No. 2, is incorporated herein as if each were fully stated;

- b) That upon leaving the scene of the accident, the officers proceeded to an address on 47th Avenue, which is the home of a female friend of Officer Briscoe;
- c) That the officers remained out of service at the 47th Avenue location from the time they left the accident scene until 2140 hours when Officer Marks called Taraval Station;
- d) That upon their arrival at Taraval Station at 2155 hours, the officers were instructed by a superior officer to make a report of their whereabouts for the preceeding two hours;
- e) That this superior officer, Sgt. David Maron, #1929, advised them that the incident might result in disciplinary action;
- f) That in this report the officers stated that they "then drove Mr. Pavloff (the party to the accident who had passed the field sobriety test) to his home in the Richmond District as well as driving his vehicle home;
- g) That the statements set forth in paragraphs (f) were false and known to be false to Officer Marks in that the Officers had neither driven Pavloff or his car home nor did Pavloff live in the Richmond District;
- h) That this action by the accused in making a false Intra-Departmental Memorandum did constitute a violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department which states:

"Shall, when called upon by a superior officer or by one specially assigned by lawful authority to conduct an investigation involving police matters, or any matter affecting the conduct of a member or members, truthfully answer all questions propounded. All reports, statements and declarations made orally or in writing in the foregoing matters shall contain the truth without evasion."



and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, March 7, 1979, and that on Wednesday, March 7, 1979, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the charges made and filed against Police Officer Herschell Briscoe, Richmond Police Station, as contained in Specifications No. 1, 2 and 3, are sustained by the evidence presented at the hearing and that Police Officer Herschell Briscoe violated Sections 9.147, 9.149 and 2.49 of the Rules and Procedures of the San Francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Herschell Briscoe has violated Specifications No. 1, 2, and 3, Sections 9.147, 9.149 and 2.49 of the Rules and Procedures of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that for said violations, Police Officer Herschell Briscoe be suspended for twenty (20 ) calendar days without pay, commencing Wednesday, March 14, 1979 at 0001 hours, and terminating Monday, April 2, 1979, at 2400 hours.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

HEARING OF POLICE OFFICER HERBERT MARKS, TARAVAL  
POLICE STATION

The hearing of Police Officer Herbert Marks, Taraval Police Station, was called, it having been set for this date. Police Officer Herbert Marks was charged with violating the Rules and Procedures as follows:





SPECIFICATION NO. 1

Failure to Maintain Radio Contact.  
(Violation of Section 9.147 of the  
Rules and Procedures of the San  
Francisco Police Department.)

SPECIFICATION NO. 2

Leaving Police Vehicle Unattended.  
(Violation of Section 9.149 of the  
Rules and Procedures of the San  
Francisco Police Department.)

SPECIFICATION NO. 3

Failure to Truthfully Answer. (Vio-  
lation of Section 2.49 of the Rules  
and Procedures of the San Francisco  
Police Department.)

on a properly verified complaint by Charles R. Gain,  
Chief of Police of the San Francisco Police Depart-  
ment.

Police Officer Herbert Marks appeared in  
person and was represented by Mr. Stephen Bruce Bley,  
Attorney at Law.

Mr. Lawrence Wilson, Attorney at Law, ap-  
peared as the Prosecutor for the Police Department.

The reading of the Charges was waived.

Mr. Bley, on behalf of Police Officer  
Herbert Marks, entered on oral plea of "Guilty" to  
all Specifications.

The Commission took the matter under sub-  
mission, after which the following resolution was  
adopted:

RESOLUTION NO. 168-79

DECISION - HEARING OF POLICE OFFICER HERBERT MARKS,  
TARAVAL POLICE STATION

WHEREAS, on January 22, 1979, Charles R.  
Gain, Chief of Police of the San Francisco Police  
Department, made and served charges against Police  
Officer Herbert Marks, Taraval Police Station, as  
follows:



SPECIFICATION NO. 1

- a) That on October 8, 1978, at 1940 hours, Officers Herschell Briscoe and Herbert Marks, assigned to Taraval Station's radio car 155, responded to the scene of a minor vehicle accident at 19th Avenue and Junipero Serra at which one party was allegedly intoxicated;
- b) Thereafter the allegedly intoxicated party passed a field sobriety test administered by the accused and his partner, the parties involved in the accident exchanged information and went on their way;
- c) That upon completion of the assignment the accused left the scene and did not place or cause the radio patrol car to be placed back on "In service" status;
- d) That attempts to contact Officers Briscoe and Marks after the time they arrived on the scene at 19th Avenue and Junipero Serra were made by both Taraval Station and Communications at 2047, 2048, 2049, and 2055 hours, and also by telephone calls to possible locations to which car 155 might have gone;
- e) That there was no response from the accused or his partner to these radio call attempts to contact car 155;
- f) That the failure by the accused to respond to radio calls from 1940 hours until 2140 hours did constitute a violation of Rule 9.147 of the Rules and Procedures of the San Francisco Police Department which states:

"Shall remain within hearing of a signal calling for his services and promptly answer and respond to all Police calls assigned to him."

SPECIFICATION NO. 2

- a) That each and every allegation in paragraphs (a) through (e) of Specification No. 1 is incorporated herein as if each were fully stated;



- b) That, upon being notified of the lack of radio contact with car 155, members from Company I made a search of the district in order to locate car 155;
- c) That at 2110 hours, Car 155, was located at 47th Avenue between Quintara and Pacheco Streets, unoccupied and not visibly attended;
- d) That the Station was contacted by Officer Marks at 2140 hours;
- e) That this action by Officer Marks in leaving the car unattended was a violation of Rule 9.149 of the Rules and Procedures of the San Francisco Police Department, which states:

"Shall not leave his vehicle unattended except when necessary in the performance of police duty or in cases of personal necessity."

SPECIFICATION NO. 3

- a) That each and every allegation in paragraphs (a) through (e) of Specification No. 2 is incorporated herein as if each were fully stated;
- b) That upon leaving the scene of the accident, the officers proceeded to an address on 47th Avenue, which is the home of a female friend of Officer Briscoe;
- c) That the Officers remained out of service at the 47th Avenue location from the time they left the accident scene until 2140 hours when Officer Marks called Taraval Station;
- d) That upon their arrival at Taraval Station at 2155 hours, the officers were instructed by a superior officer to make a report of their whereabouts for the preceding two hours;
- e) That this superior officer Sgt. David Maron, #1929, advised them that the incident might result in disciplinary action;





- f) That in this report the officers stated that they "then drove Mr. Pavloff (the party to the accident who had passed the field sobriety test) to his home in the Richmond District as well as driving his vehicle home";
- g) That the statements set forth in paragraph (f) were false and known to be false to Officer Marks in that the officers had neither driven Pavloff or his car home nor did Pavloff live in the Richmond District;
- h) That this action by the accused in making a false Intra-Departmental Memorandum did constitute a violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department, which states:

"Shall, when called upon by a superior officer or by one specially assigned by lawful authority to conduct an investigation involving police matters, or any matter affecting the conduct of a member or members, truthfully answer all questions propounded. All reports, statements and declarations made orally or in writing in the foregoing matters shall contain the truth without evasion."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, March 7, 1979, and that on Wednesday, March 7, 1979, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the charges made and filed against Police Officer Herbert Marks, Taraval Police Station, as contained in Specifications No. 1, 2, and 3, are sustained by the evidence presented at the hearing and that Police Officer Herbert Marks violated Sections 9.147, 9.149 and 2.49 of the Rules and Procedures of the San Francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Herbert Marks has violated Specifications No. 1, 2, and 3, Sections 9.147, 9.149, and 2.49 of the Rules and Procedures



of the San Francisco Police Department; and be it further

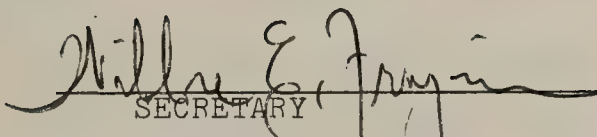
RESOLVED, that it is the order of the Police Commission that for said violations, Police Officer Herbert Marks, be suspended for twenty (20) calendar days without pay, commencing Wednesday, March 14, 1979, at 0001 hours, and terminating Monday, April 2, 1979, at 2400 hours.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

The Commission then adjourned its meeting at 2120 hours.

  
SECRETARY



14 MARCH 1979

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, March 14, 1979 at 1730 hours in regular session.

PRESENT: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

Commissioner Siggins presiding.

MAY 3 1979

DOCUMENTS DEPT.  
C.F. P. 112 L DRAFT

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

20 STEUART - CARAVANSARY RESTAURANT

- a) At 20 Steuart Street, install a 22' white zone, extending from 55' to 77' south of north building line.
- b) Remove meter #26.

20 STEUART - CARAVANSARY RESTAURANT

- a) At 20 Steuart Street, install a 44' yellow zone, extending from 11' to 55' south of north building line.
- b) Remove meters #22 and #24.

844-848 FOLSOM STREET - AVENUE SEWING MACHINE CO.

- a) At 844-848 Folsom Street, install a 44' green zone, extending from 56' to 100' east of west building line.

1829 CLEMENT STREET - YET WAH RESTAURANT

- a) At 1829 Clement Street, install a 22' white zone, extending from west building line 22' east of same.





1620 KANSAS STREET - AUTOMATIC GARAGE DOOR CORP

- a) At 1620 Kansas Street, install a 24' yellow zone, extending from 60' to 84' south of north property line.

100 BUSH STREET - S.F.P.D.

- a) At 100 Bush Street, revoke existing 42' yellow Special Truck Loading Zone, extending from 130' to 172' east of Sansome Street.

501 BALBOA STREET - S.F.P.D.

- a) At 501 Balboa Street, revoke existing 27' yellow zone, extending from 45' to 72' west of 6th Avenue.

501 BALBOA STREET - S.F.P.D.

- a) At 501 Balboa Street, revoke existing 36' green zone, extending from 9' to 45' west of 6th Avenue.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

REVOKED

RESOLVED, that the recommendations of the Traffic Bureau on the revocation of 105 feet of green and yellow zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RETIREMENTS

Communications were received from the Retirement Board officially notifying the Police Commission of the retirement of the following-named members of the Police Department:



- a) Lieutenant Robert E. Mattox, Traffic Bureau, for service, effective January 31, 1979.
- b) Sergeant Burton J. Bishop, Field Operations Bureau, for service, effective January 29, 1979.
- c) Police Officer Patrick F. Hanifin, Support Services-Records, for service, effective December 3, 1978.

The Communications were ordered filed.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 169-79

CALIFORNIA STATE AUTOMOBILE  
ASSOCIATION (HUBER, ANTOINE)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the California State Automobile Association (Huber, Antoine) against the City and County of San Francisco in the sum of \$171.72 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 16, 1978

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 170-79

JAMES HOM

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James Hom against the City and County of San Francisco in the sum of \$30.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 1, 1978

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins



RESOLUTION NO. 171-79

PATRICIA ANN SHERMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Patricia Ann Sherman against the City and County of San Francisco in the sum of \$23.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 19, 1978

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 172-79

SHERWIN B. CRIBB

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Sherwin B. Cribb against the City and County of San Francisco in the sum of \$23.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 31, 1978

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 173-79

AUTHORIZING ATTENDANCE OF ASSISTANT CRIMINALIST  
RICHARD GRZYBOWSKI, SUPPORT SERVICES BUREAU, CRIME  
LABORATORY, AT THE GUNPOWDER AND PRIMER RESIDUE SCHOOL  
AT QUANTICO, VIRGINIA, FROM APRIL 1, 1979 TO APRIL 6,  
1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Assistant Criminalist Richard Grzybowski, Support Services Bureau, Crime Laboratory, be detailed to attend the Gunpowder and Primer Residue School at Quantico, Virginia, from April 1, 1979 to April 6, 1979, inclusive, be, and the same is hereby approved; and be it further





RESOLVED, that the expenses incurred by Assistant Criminalist Richard Grzybowski, Support Services Bureau, Crime Laboratory, will be paid by the Federal Bureau of Investigation.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 174-79

AUTHORIZING ATTENDANCE OF SERGEANTS RONALD JACKSON, CARL P. PETERS, AND POLICE OFFICERS HENRY KIRK, MICHAEL MC ELLIGOTT, JEREMIAH MORGAN, AND ROBERT SUDANO, CRIMES SPECIFIC TASK FORCE, AT THE ADVANCED SPECIAL WEAPONS AND TACTICS TRAINING COURSE AT SANTA ROSA, CALIFORNIA, FROM MARCH 26, 1979 TO MARCH 30, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police That Sergeants Ronald Jackson, Carl P. Peters, and Police Officers Henry Kirk, Michael McElligott, Jeremiah Morgan and Robert Sudano, Crimes Specific Task Force, be detailed to attend the Advanced Special Weapons and Tactics Training Course at Santa Rosa, California, from March 26, 1979 to March 30, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Sergeants Ronald Jackson, Carl P. Peters, and Police Officers Henry Kirk, Michael McElligott, Jeremiah Morgan and Robert Sudano, Crimes Specific Task Force, in a sum not to exceed \$247.00 each will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 175-79

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:



Assistant Inspector)		(At the Video Expo '79
John Brunner )	\$115.00	(in San Francisco, Cal-
Support Services- )		(ifornia, from February
Photo Laboratory)		(20, 1979 to February
		(22, 1979, inclusive.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

APPROVAL OF THE MINUTES OF THE MEETING OF FEBRUARY 7, 1979, THE COMMISSIONERS AND CHIEF HAVING RECEIVED, AMENDED AND RETURNED COPIES OF SAME. - CONTINUED FOR ONE (1) WEEK.

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Commissioner Siggins: "I have a suggestion that we put that one over. One of the things in the minutes regarding that Malawi Consulate on Washington Street white zone was so lengthy I thought we might just break it down and Commissioner Ciani agreed to go over it and then we can also include the policy statement that we adopted regarding Consulates. So let's put that over until next week."

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

#### CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "No report tonight Commissioners."

SETTING OF DATE FOR PUBLIC HEARING ON PROPOSED CHANGE IN RULES AND PROCEDURES AMENDING RULE 2.38 - PERSONAL GROOMING. (COPIES SENT TO EMPLOYEE ORGANIZATIONS.)

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The Public Hearing on the Amending of Rule 2.38 - Personal Grooming, is set for March 28, 1979 at 5:30 p.m.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

AMENDING SECTION 300 OF TITLE III OF THE SAN FRANCISCO MUNICIPAL CODE DEFINING MECHANICAL AMUSEMENT DEVICES. (CONTINUED FROM MARCH 7, 1979)

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Mr. Robert Byrne of the Department's Legal Office, gave the Commission a brief report as to the contents and meaning of this proposed amendment.





Commissioner Ciani stated that she was not sure that this isn't going to cover things that the Department doesn't intend to cover. She continued by saying she would like to take a look at the context of the section that has been drafted and requested to reserve the right to consult with Mr. Byrne about drafting problems.

Commissioner Sanchez stated that he felt this was one of the areas that the Commission should monitor more closely as it has much potential for breeding crime, especially for young kids, rather than the Commission taking a look at white zones or yellow zones. He stated that he did know, as an example, that the Chief does review various permits, such as pool halls, and others, and that he thought that these things are a high priority area and they should be enforced equitably whether it is in the Mission District or in Pacific Heights.

Chief Gain stated that the Department enforces those matters rigorously, the foot patrol officers, the Vice Crimes Division, throughout the city where they have pinball games. He stated that it is a very serious matter and requested the Commission to act favorably upon it. He also stated that as far as the drafting matters, Mr. Byrne would be available.

Commissioner Murphy opposed the proposed ordinance on the basis that we, in this society, are being more and more regulated and our personal choices are being more and more restricted. She said if some old people living in the Tenderloin, in depressing and forlorn hotel rooms get any pleasure out of playing the game of Fascination in the hopes of winning a little money, it seems unfortunate to deprive them of that pleasure.

She, of course, recognized that the "house" made the real money and that there was no way for anyone to really win, but the same is true of gambling or playing the slot machines in Nevada. Yet many people, old and young, who know this continue to play.

Also, it seems a reversal of policy to divert officer time from attacking the problem of violent crime.

Commissioner Sanchez then moved for approval of the following resolution with corrections pertaining to either punctuation and/or words which the Commission desires to insert.





RESOLUTION NO. 181-79

AMENDING SECTION 300 OF TITLE III OF THE SAN FRANCISCO MUNICIPAL CODE DEFINING MECHANICAL AMUSEMENT DEVICES.

WHEREAS, several persons are operating a game called "Fascination" in various locations in the City and County of San Francisco and more locations are planned; and

WHEREAS, "Fascination" involves payment by players to play the game and monetary prizes; and

WHEREAS, there is some doubt whether "Fascination" falls under the present definition of mechanical amusement devices in Section 300 of Part III of the San Francisco Municipal Code; therefore be it

RESOLVED, that the Police Commission hereby requests the Board of Supervisors of the City and County of San Francisco to adopt the attached proposed ordinance which amends Section 300 of Part III of the San Francisco Municipal Code so that it applies to "Fascination."

AYES: Commissioners Ciani, Sanchez,  
Toler, Siggins

NAYS: Commissioner Murphy

REQUESTING APPROVAL OF PROPOSED GENERAL ORDER ESTABLISHING (CODE 3) DRIVING REGULATIONS AND PROCEDURES. (CONTINUED FROM JANUARY 31, 1979)- CONTINUED ONE (1) MONTH.

Chief Gain: "Mr. President, with the election of the new President of the POA, we haven't agreed to Meet and Confer because now we are involved in recruitment and we haven't had the opportunity to do so. I would request that this be put over for one month.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins



MATTER OF PATROL SPECIAL BEAT #46 RE: CLAIM OF  
MRS. ERMA JEWETT; TO BE REPRESENTED BY ATTORNEY  
JERRY E. BERG. (CONTINUED FROM FEBRUARY 21, 1979)-  
CONTINUED TO APRIL 4, 1979.

Lawrence Wilson, Legal Office, presented to the  
Commission a purchase agreement that was signed  
and agreed upon for the purchase of Patrol Special  
Beat #46. He stated he would like to have the Com-  
mission calendar it for the fourth of April, at  
which time all paperwork would be completed.

Commissioner Siggins then stated to Mr. Wilson  
that if he wanted to present it before that time  
to just contact the Secretary to the Commission,  
and if the papers are in order, could shortly  
thereafter, be scheduled for hearing.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 176-79

REQUEST FOR A SUPPLEMENTAL APPROPRIATION IN THE  
AMOUNT OF \$9,042.00 TO RECLASSIFY ONE VACANT POSI-  
TION OF SENIOR ATTORNEY TO ONE POSITION OF TRIAL  
ATTORNEY.

RESOLVED, that the Police Commission  
hereby rescinds Resolution NO. 32-79 adopted  
January 17, 1979, approving a supplemental appro-  
priation to reclassify a Senior Attorney (8178)  
position to and Attorney (8174) position, and ap-  
proves the request for a supplemental appropriation  
which will reclassify one vacant position of Senior  
Attorney (8178) to one position of Trial Attorney  
(8176).

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 177-79

REQUEST FOR A SUPPLEMENTAL APPROPRIATION IN THE  
AMOUNT OF \$6,562.00 TO CLASSIFY ONE VACANT BUDGETED  
POSITION OF A108 PROPERTY MANAGER TO ONE POSITION  
OF 1938 STORES AND EQUIPMENT ASSISTANT SUPERVISOR.

RESOLVED, that the Police Commission



approves the request for a supplemental appropriation to classify one vacant budgeted position of A108 Property Manager to one position in class 1938 Stores and Equipment Assistant Supervisor.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 178-79

POLICE OFFICER EDDY L. CASTIGLIONI - PERSONNEL  
AND TRAINING

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Eddy L. Castiglioni, Personnel and Training, as follows:

SPECIFICATION NO. 1

Failure to Preserve the Peace, Prevent Crime and Enforce Criminal Laws while off duty. (Violation of Section 2.03 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Breach of the Peace, Neglect of Duty, Misconduct, Conduct Tending to Subvert the Good Order, Efficiency and Discipline of the Department, Conduct Prejudicial to the Efficiency and Discipline of the Department and Conduct Reflecting Discredit on the Department and member thereof. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

by Charles R. Gain, Chief of Police; therefore be it

RESOLVED, that the setting of the date for the hearing before the Police Commission on charges filed against Police Officer Eddy L. Castiglioni, Personnel and Training, be, and the same is hereby set for Wednesday, March 28, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins





RESOLUTION NO. 179-79

SETTING OF DATE FOR THE HEARING OF POLICE OFFICER  
KATHERINE ANDERSON, PARK POLICE STATION

WHEREAS, the setting of the date for the hearing of disciplinary charges filed against Police Officer Katherine Anderson, Park Police Station, was called; and

WHEREAS, Mr. Robert Byrne, Legal Office, stated that Inspector Earl Sanders was conducting an investigation of this matter on behalf of the defendant, Officer Anderson, and requested the matter be scheduled for the Commission calendar of March 28, 1979, for the purpose of setting a hearing date; therefore be it

RESOLVED, that the date for the setting of the hearing of disciplinary charges filed against Police Officer Katherine Anderson, Park Police Station, is Wednesday, March 28, 1979, at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

HEARING OF POLICE OFFICER ROBBIE E. CORLEY,  
CENTRAL POLICE STATION

The hearing of Police Officer Robbie E. Corley, Central Police Station, was called, it having been set for this date. Police Officer Robbie E. Corley was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Striking a Prisoner Without Lawful Cause or Excuse. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Failure to Answer Truthfully and Without Evasion, Questions Propounded. (Violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department.)



in a properly verified complaint by Charles R. Gain, Chief of Police of the San Francisco Police Department.

Police Officer Robbie E. Corley appeared in person and was represented by Stephen B. Bley, Attorney at Law.

Mr. Robert Byrne, Attorney at Law, appeared as the Prosecutor for the Police Department.

The reading of the Charges was waived.

Police Officer Robbie E. Corley entered, through his attorney, a plea of "not guilty" to all charges.

An opening statement was made by Mr. Robert Byrne, Prosecuting Attorney.

The following-named witnesses were called by the Prosecution, sworn and testified:

Mr. Paul Roberson

Mr. Alan Quan Chiu  
2450 Ortega Street  
San Francisco, California

The following exhibits were entered into Evidence by the Prosecution:

Exhibit 1. - One 8x10 Photograph, labeled No. 6, Depicting holding or booking area of Central Police Station; Specific areas in photo numbering 1 to 3 are: #1 Bench, #2 door to garage, #3 door to holding cells.

Exhibit 2. - Two 8x10 Photographs, labeled Nos. 3 and 4. Photo No. 3 is Garage of Central Station. Specific areas in photo numbering 1 to 3 are: #1 Control for garage door, #2 door leading to holding area, #3 garage door. Photo No. 4 depicts door from Garage to Holding or booking area-Central Station.



Exhibit 3. - Two 8x10 Photographs, one of which depicts face and upper chest area of victim Paul Roberson, the other depicts both hands and forearms of victim Paul Roberson.

Exhibit 4. - One Photograph 8x10 depicting left knee and upper leg of victim Paul Roberson.

The Commission then adjourned at 2118 hours, and the matter was continued to Monday, March 19, 1979 at 1730 hours, in Room 551, Hall of Justice.

Recess taken during the hearing: 2010 hours to 2030 hours.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Ciani, Murphy, Toler, Siggins

ABSENT: Commissioner Sanchez

HEARING OF POLICE OFFICER GARY L. DIXON, CENTRAL POLICE STATION

The hearing of Police Officer Gary L. Dixon, Central Police Station, was called, it having been set for this date. Police Officer Gary L. Dixon was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Unlawful Arrest of a Civilian.  
(Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Striking a Prisoner Without Lawful Cause or Excuse. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)





SPECIFICATION NO. 3

Failure to Answer Truthfully and Without Evasion Questions Pro-  
pounded. (Violation of Section  
2.49 of the Rules and Procedures  
of the San Francisco Police De-  
partment.)

in a properly verified complaint by Charles R.  
Gain, Chief of Police of the San Francisco Police  
Department.

Police Officer Gary L. Dixon appeared  
in person and was represented by Mr. Stephen B.  
Bley, Attorney at Law.

Mr. Robert Byrne, Attorney at Law,  
appeared as the Prosecutor for the Police Depart-  
ment.

The reading of the Charges was waived.

Police Officer Gary L. Dixon entered,  
through his attorney, a plea of "not guilty" to  
all charges.

An opening statement was made by Mr.  
Robert Byrne, Prosecuting Attorney.

The following-named witnesses were  
called by the Prosecution, sworn and testified:

Mr. Paul Roberson

Mr. Alan Quan Chiu  
2450 Ortega Street  
San Francisco, California

The following exhibits were entered into  
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numbering 1 to 3 are: #1 Bench,  
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holding cells.



Exhibit 2. - Two 8x10 Photographs, labeled Nos. 3 and 4, Photo No. 3 is the Garage of Central Station. Specific areas in photo numbering 1 to 3 are: #1. Control for garage door, #2 door leading to holding areas, #3 Garage door.

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Exhibit 4. - One Photograph 8x10 depicting left knee and upper leg of victim Paul Roberson.

The Commission then adjourned at 2118 hours, and the matter was continued to Monday, March 19, 1979 at 1730 hours, in Room 551, Hall of Justice.

Recess taken during the hearing: 2010 hours to 2030 hours.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Ciani, Murphy, Toler, Siggins

ABSENT: Commissioner Sanchez

HEARING OF STATION OFFICER THOMAS O'BRIEN, RICHMOND  
POLICE STATION

Mr. Joseph Desmond, attorney at law, appeared on behalf of Station Officer Thomas O'Brien, and Mr. Lawrence Wilson appeared as the prosecutor for the Police Department. Mr. Desmond stated to the Commission that if a plea was entered on behalf of his client, Station Officer O'Brien, the plea would be "not guilty", however, he stated, that there are a set of stipulating facts in the situation and that he was submitting it to the Commission for the Commission's consideration. He stated that Mr. O'Brien had been found guilty by a jury of 12 persons of a



misdemeanor crime of violation of 246 of the Penal Code of the State of California. He said as he understood it, based on that guilty verdict, Chief Gain has recommended to the Commission that Mr. O'Brien be terminated. Mr. Desmond continued by saying that he felt that that punishment did not fit this crime in that it is again merely a misdemeanor for which he was convicted. He then told the Commission of the past history of Mr. O'Brien's work in the Department and then submitted copies of Mr. O'Brien's probationary report to the Commission for their perusal.

Chief Gain stated that the Department was ready to proceed to trial on this matter. He continued by saying that Mr. Desmond made the statement that he understands the Chief of Police would be recommending termination based on a finding by the jury and that simply was not factual. The Chief stated that the Charges filed by the Department against Mr. O'Brien is for a violation of Rule 2.13 of the Rules and Procedures of the Department and it does not state anything about any criminal violation. He said that any reference to the criminal case is not applicable.

Mr. Wilson stated that he was under the impression that Mr. Desmond was going to, on behalf of his client Mr. O'Brien, enter a "guilty" plea.

Chief Gain then stated that if Mr. O'Brien didn't want to enter a "guilty" plea, the Commission could reschedule it and the Department would go to trial on it.

The Commission, after listening to further testimony, continued the matter for 1 week.

RESOLUTION NO. 180-79

HEARING OF STATION OFFICER THOMAS O'BRIEN, RICHMOND  
POLICE STATION

WHEREAS, the hearing of Station Officer Thomas O'Brien, Richmond Police Station, was called, it having been set for this date; and

WHEREAS, Mr. Joseph A. Desmond, Attorney at Law, representing Station Officer Thomas O'Brien, presented a probation report to the Commission for their perusal and requested a continuance of Station Officer O'Brien's hearing for this purpose; therefore be it





RESOLVED, that the hearing of the disciplinary charges filed against Station Officer Thomas O'Brien, is continued to Wednesday, March 21, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

Commissioner Sanchez: "Through the Chair, if perhaps I might, I would like to move up one agenda item as far as request to speak before the Commission, because I know there are other hearings tonight. Mr. Heavey who is President of the Veteran's Political Counsel, has requested to speak before the Commission for a brief period and I was wondering if we might move this because I know there are going to be other matters before the Commission."

Commissioner Siggins: "Mr. Edward Heavey, you have been accused of in the past of using the Veterans Political Counsel to express your own views and you have indicated here by your letterhead that this feeling, which you are going to express, is the feeling of the Veterans Political Counsel of San Francisco."

Edward Heavey: "That is what is meant to be expressed, Mr. President, yes."

Commissioner Siggins: "And, obviously, there is an Executive Committee and a Board of Directors, and so forth."

Edward Heavey: "A sufficient number of them have indicated their agreement with me."

Commissioner Siggins: "Okay, but there has been no official action by them."

Edward Heavey: "I did not call a Counsel Meeting in regards to this Mr. Siggins."

Commissioner Siggins: "Okay, go ahead Mr. Heavey."

Edward Heavey: "I am Edward Heavey and I am President of the Veterans Political Counsel of San Francisco and I have been for ten of the last 15 years. The Veterans Political Counsel took note of the incident on Kearny Street about a week ago involving young Police Officer Hampton. The emergency call came in for officers to take their places around a jewelry store which was then being robbed by an armed suspect, I think, is the word they call an individual until, and unless, a conviction is obtained and sustained by the United States Supreme Court. And as the man, the suspect, backed down Kearny Street, I



was very close to the scene, although I did not personally observe it, the officer leveled his gun at the suspect who then had a woman hostage named Brady, with a gun at her head. In a split second afforded this gallant, distinguished officer, he made a judgment, final, fatal judgment. As the man partially turned, proceeding the officer, he shot him, dead. He shot so well he killed only the suspect, and he will, I guess, rest in peace only as a suspect, and he avoided hitting the woman. The tablets down in the corridor of this building is laden with names of very gallant police officers who are dead in the line of duty who either failed to draw or failed to fire on time. We would like, the Veterans Political Counsel of San Francisco, would like the San Francisco Police Department and Chief Gain and the gallant officers and men to know that we consider this police performance of the highest order. We salute your gallantry, we thank God for men as Officer Hampton. Thank you for the privilege of the floor."

Commissioner Siggins: "Thank you very much Mr. Heavey. Any comments from the Department?"

Cheif Gain: "Well, I think it is very commendable of him to come and speak tonight. I know many citizens have the feeling that he has just expressed and I think he voiced it very well and our Personnel will know about your remarks."

POLICE COMMISSION CONSIDERATION FOR RETIREMENT FOR  
DISABILITY OF POLICE OFFICER ALBERT G. SQUAIR PURSUANT  
TO SECTION 8.559-3 OF THE CHARTER OF THE CITY AND  
COUNTY OF SAN FRANCISCO

Lawrence Wilson: "This is a request Commissioners by the Chief that you send to the Retirement Board a request to them that they retire for incapacity, Officer Albert Squair, and at the same time a hearing on his grievance that he be re-appointed back to the Department. The notice was just announced to his Council, Sergeant Hebel Friday of last week and I have not discussed any of this with Sergeant Hebel, but I think he can be here any time that it meets with the Commission's approval."

Commissioner Siggins: "Well, the hearing is not going to be held tonight."

Commissioner Sanchez: "Just setting."



Commissioner Siggins: "Well then, there should be something more than what....."

Lawrence Wilson: "The written submission in so far as the Department is concerned, you have, Sergeant Hebel may want to make a presentation to you on the matter."

Commissioner Siggins: "What's his status now?"

Chief Gain: "He is on Sick Leave, no pay."

Lawrence Wilson: "He is not authorized to carry a weapon."

Commissioner Siggins: "Okay, is he here?"

Lawrence Wilson: "No sir, he is not here, I am just suggesting that the Commission set this at your pleasure and the officer then can be called in."

Commissioner Siggins: "Well, what does Sergeant Hebel want?"

Lawrence Wilson: "Well, Sergeant Hebel did not discuss a date with me."

Commissioner Siggins: "Well, let's put it on for next week then."

Lawrence Wilson: "Right."

The Commission then adjourned its meeting at 2118 hours.

  
SECRETARY





19 MARCH 1979

SPECIAL MEETING

The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Monday, March 19, 1979 at 1730 hours, in Special Session.

PRESENT: Commissioners Ciani, Murphy, Toler, Siggins

ABSENT: Commissioner Sanchez

MAY 3 1979

Commissioner Siggins presiding.

DOCUMENTS DEPT.  
S.F. POLICE DEPT.

CONTINUATION OF THE HEARING OF POLICE OFFICER  
ROBBIE E. CORLEY, CENTRAL POLICE STATION

The matter of the hearing of Police Officer Robbie E. Corley, Central Police Station, was called, it having been continued from the meeting of March 14, 1979.

Police Officer Robbie E. Corley, appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Robert Byrne, Attorney at Law, Legal Office, appeared as the Prosecutor for the Police Department.

The following-named witnesses were called by the Prosecution, sworn and testified:

Mr. Louis Perkins  
55 Sutter Street  
San Francisco, Ca.

Delynda DeLeon  
1468 LaPlaya #3  
San Francisco, Ca.

Police Officer Donald Reed  
Central Police Station

Police Officer Gene Powers  
SCU, Crimes Specific Task Force



Inspector Billye E. Morrow  
Internal Affairs Bureau

The Commission after listening to testimony of the above witnesses, adjourned at 1959 hours, and the matter was continued to Wednesday, March 28, 1979 at 1830 hours, in Room 551, Hall of Justice.

Recess taken during the hearing:  
1910 hours to 1920 hours.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Ciani, Murphy, Toler,  
Siggins

NOT VOTING: Commissioner Sanchez

CONTINUATION OF THE HEARING OF POLICE OFFICER  
GARY L. DIXON, CENTRAL POLICE STATION

The matter of the hearing of Police Officer Gary L. Dixon, Central Police Station, was called, it having been continued from the meeting of March 14, 1979.

Police Officer Gary L. Dixon, appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Robert Byrne, Attorney at Law, Legal Office, appeared as the Prosecutor for the Police Department.

The following-named witnesses were called by the Prosecution, sworn and testified:

Mr. Louis Perkins  
55 Sutter Street  
San Francisco, Ca.

Delynda DeLeon  
1468 La Playa #3  
San Francisco, Ca.

Police Officer Donald Reed  
Central Police Station



Police Officer Gene Powers  
SCU, Crimes Specific Task Force

Inspector Billye E. Morrow  
Internal Affairs Bureau

The Commission after listening to the testimony of the above witnesses, adjourned at 1959 hours, and the matter was continued to Wednesday, March 28, 1979 at 1830 hours, in Room 551, Hall of Justice.

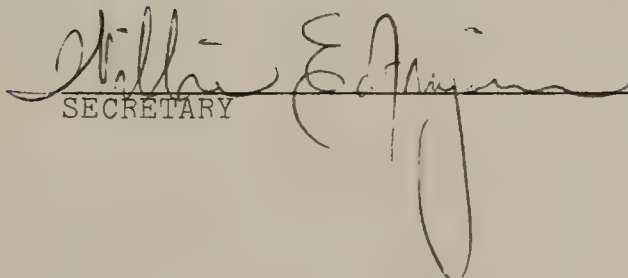
Recess taken during the hearing:  
1910 hours to 1920 hours.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Ciani, Murphy, Toler,  
Siggins

NOT VOTING: Commissioner Sanchez

The Commission then adjourned its meeting at 1959 hours.

  
\_\_\_\_\_  
SECRETARY





21 MARCH 1979

SPECIAL MEETING

The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, March 21, 1979 at 1630 hours in Special Session.

PRESENT: Commissioners Ciani, Murphy, Siggins

ABSENT: Commissioners Sanchez, Toler

Commissioner Siggins presiding.

MAY 2 1979

DOCUMENTS DEPT  
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CONTINUATION OF THE HEARING OF GRIEVANCE 71-78,  
FILED BY POLICE OFFICER BRUCE F. MAROVICH, CRIME  
SPECIFIC TASK FORCE.

WHEREAS, the hearing of the Grievance of Police Officer Bruce F. Marovich, Crime Specific Task Force, was called, it having been continued from February 14, 1979, to a Special Meeting of the Police Commission at 4:30 pm., this date; and

WHEREAS, on February 14, 1979, only three Police Commissioners were present to constitute a quorum for the initial proceedings of this hearing; and

WHEREAS, a last minute notification that one of those Commissioners could not be present for the Special Police Commission Meeting necessitated a cancellation of same; and

WHEREAS, Sergeant Michael Hebel, Officer Bruce Marovich's attorney, has requested that his client's Grievance Hearing be scheduled for Wednesday, April 11, 1979; therefore be it

RESOLVED, that the date for the continuation of the Grievance Hearing filed by Police Officer Bruce F. Marovich, Crime Specific Task Force, is set for Wednesday, April 11, 1979, at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Sanchez, Toler



21 MARCH 1979

REGULAR MEETING

The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, March 21, 1979 at 1730 hours in regular session.

PRESENT: Commissioners Ciani, Murphy, Siggins

ABSENT: Commissioners Sanchez, Toler

Commissioner Siggins presiding.

PRESENTATION OF MEDAL OF VALOR AWARDS AND CERTIFICATES

Commissioner Siggins: "Commissioner Ciani was the Chairman of the last Awards Meeting and I will turn the meeting over to her, but on behalf of the Commission, I want to say that once again on these nights when we have these Awards of Certificates of Merit, it makes each one of us (Commissioners) proud to be associated with the men and women of this Department and we just have to call this the Happy Hour of our association with the Department. Commissioner Ciani."

Commissioner Ciani: "Thank you. It was my pleasure to Chair the meeting for the last Medal of Valor Session and to listen to more accounts of heroism among members of the Department. The Medals and the small financial stipends that go with them are just a small token of appreciation from the citizens of San Francisco for these acts of heroism which are beyond the call of duty. In order to be given an Award a member has to meet very rigorous standards which are applied by the Captains who meet and vote on each Award after an account of the act of heroism is read. They have heard a lot of accounts, and they are very difficult people to please. So it is always a very special honor to get such an award. There is something unusual about this set of Awards. We will be awarding 12 Silver Medals and 10 Bronze Medals this evening, and 13 of the 22 medals being given involve acts of heroism in police officers arriving at the scene of a fire and, in most cases, acting without help or support of the Fire Department or equipment to aid people to be rescued usually before the Fire Department arrived. I think it speaks for the cooperation between the two Departments and for the importance of the presence of the Police Department even in an area that is technically within the



realm of another Department. So I would like to acknowledge in front of the families of the members who are present, how proud we are of all of these officers.

PRESENTATION OF THE MEDAL OF VALOR AWARDS AND CERTIFICATES

The following-named members of the Police Department were presented Medal of Valor Awards and Certificates at the Commission meeting by Commissioner Ciani:

Police Officer William A. Arietta....Silver Star  
Police Officer Louette M. Colombano..Silver Medal  
Police Officer Henry C. Hunter.....Silver Medal  
Police Officer Henry L. Kirk.....Silver Medal  
Police Officer Jeffrey C. Lindberg...Silver Medal  
Police Officer Joseph A. Zamagni.....Silver Medal  
Police Officer Croce A. Casciato.....Silver Medal  
Police Officer Stephen L. Christie...Silver Medal  
Police Officer Dennis A. Meixner.....Silver Star  
Police Officer Thomas F. Powers.....Silver Medal  
Police Officer Stephen J. Venters....Silver Medal  
Police Officer Sherman L. Ackerson...Bronze Medal  
Police Officer Peter L. Canaan.....Bronze Star  
Police Officer Robert L. Derby.....Bronze Star  
Police Officer Jeffrey T. Levin.....Bronze Medal  
Police Officer Edward P. O'Toole.....Bronze Medal

RECOMMENDATIONS OF THE TRAFFIC BUREAU

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning, for the regulation of traffic on the public streets, be, and the same are hereby approved:





4320 MISSION STREET - CABLE CAR RESTAURANT-DENIED

- a) At 4320 Mission Street, install a 26' green zone, extending from south property line 26' north of same. DENIED

2822- 2824 LEAVENWORTH STREET - THE ANCHORAGE

- a) At 2822-2824 Leavenworth Street, install a 44' yellow zone, SPECIAL TRUCK LOADING ZONE, from 19' to 63' south of north property line.
- b) Meters 2822 and 2824 change to Special Truck Loading Zone (STLZ).

2830 LEAVENWORTH STREET - THE ANCHORAGE

- a) At 2830 Leavenworth Street, install a 49' yellow zone, extending from 63' to 112' south of north building line.

2800 LEAVENWORTH STREET - THE ANCHORAGE

- a) At 2800 Leavenworth Street, install a 22' Blue Zone, extending from 112' to 134' south of north building line.

2800 LEAVENWORTH STREET - THE ANCHORAGE

- a) At 2800 Leavenworth Street, install a 44' white zone, extending from 42' to 86' north of south property line.

375 JEFFERSON STREET - THE ANCHORAGE

- a) At 375 Jefferson Street, install a 44' white zone, extending from 45' to 89' east of west property line.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Sanchez, Toler



RESOLUTION NO. 182-79

POLICE NARCOTIC FUND - APPROVED

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the amount of \$2,000.00 charging same to Firm No. 355081 2010 133 01 as an advance on the Police Narcotic Fund for the month of March, 1979.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Sanchez, Toler

RESOLUTION NO. 183-79

POLICE CONTINGENT FUND - APPROVED

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the amount of \$4,000.00 charging same to Firm No. 355081 2010 132 01 as an advance on the Police Contingent Fund for the month of March, 1979.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Sanchez, Toler

RESOLUTION NO. 184-79

AUTHORIZING ATTENDANCE OF DR. NORMAN H. STEINER, POLICE SURGEON, AT THE ANNUAL SEMINAR OF AMERICAN ASSOCIATION OF POLICE PHYSICIANS AND SURGEONS AT THE NATIONAL ACADEMY, QUANTICO, VIRGINIA, FROM APRIL 1, 1979 TO APRIL 3, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Dr. Norman H. Steiner, Police Surgeon, be detailed to attend the Annual Seminar of American Association of Police Physicians and Surgeons at National Academy, Quantico, Virginia, from April 1, 1979 to April 3, 1979, inclusive, be, and the same is hereby approved; and be it further



RESOLVED, that all expenses incurred will be paid by the Federal Bureau of Investigation.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Sanchez, Toler

RESOLUTION NO. 185-79

AUTHORIZING ATTENDANCE OF LIEUTENANTS ROY ANDERSON, SOUTHEAST STATION, SIDNEY PATON, FIELD OPERATIONS, AND JAMES SKINNER, RICHMOND STATION, AT A MIDDLE MANAGEMENT TRAINING COURSE AT WATSONVILLE, CALIFORNIA, FROM MAY 12, 1979 TO MAY 25, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Lieutenants Roy Anderson, Southeast Station, Sidney Paton, Field Operations and James Skinner, Richmond Station, be detailed to attend a Middle Management Training Course at Watsonville, California, from May 12, 1979 to May 25, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Lieutenants Roy Anderson, Southeast Station, Sidney Paton, Field Operations, and James Skinner, Richmond Station, in a sum not to exceed \$888.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Sanchez, Toler

RESOLUTION NO. 186-79

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:





Lieutenant Victor Macia,) \$480.00 (At the Child Abuse  
Investigations Bureau- ) (Seminar at Morro  
Youth Services ) (Bay, California,  
(from February 26,  
(1979 to March 12,  
(1979, inclusive.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Sanchez, Toler

RESOLUTION NO. 187-79

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense  
Voucher submitted by the following-named member  
of the Police Department for expenses incurred  
in attending the below-indicated program, be, and  
the same is hereby approved:

Lieutenant William Koenig) \$8,800.00 (At an Advanced  
and 80 (eighty) Trainees ) (Field Training  
FTO Program ) (Officers Seminar,  
(at Santa Cruz,  
(California, from  
(February 11, 1979  
(to February 17,  
(1979, inclusive.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Sanchez, Toler

RESOLUTION NO. 188-79

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher  
submitted by the following-named member of the Police  
Department for expenses incurred in attending the  
below-indicated program, be, and the same is hereby  
approved:

Police Officer William F.) \$156.00 (At the Vehicle Oper-  
Kidd ) (ations Unit Guide Re-  
Personnel & Training ) (vision Seminar at Los  
(Angeles, California,  
(from March 7, 1979 to  
(March 8, 1979, inclusive.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Sanchez, Toler



CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "No report tonight Commissioners."

Commissioner Ciani: "I would like to ask one question about when we will be receiving any kind of report on the matter of the Rose Audit that was referred to in the paper today?"

Chief Gain: "My understanding is, when the Budget Analyst has printed the final copy of the report, and the time it is given to the Finance Committee or Supervisors, at that time sufficient copies are on request and will be provided so that each Police Commissioner will have a copy. The complete report which includes our response."

Commissioner Ciani: "Although this is taking place at the same time as the budget process, it really is separate and there doesn't seem to be any co-ordination between that process and the on-going budget process."

Chief Gain: "Well, as a matter of fact, I think there is because the Budget Analyst Staff, at least, is really issuing their report in two parts. This is part one dealing, basically, with the uniformed patrol. That they are issuing this at this time is because the budget is at issue at this time. So it is coordinated."

Commissioner Ciani: "So as soon as it is printed we will be receiving copies, is that correct?"

Chief Gain: "That is my understanding. As soon as they print it then we will have sufficient copies so each Commissioner will receive a copy."

Commissioner Murphy: "I think it will be useful to us if you could as you go through it, you would make marginal notes as to the acceptability of each of it or any of the points made by Rose. It doesn't have to be a big deal."

Chief Gain: "Our response will be an integral part of the report. It will contain the Budget Analyst's review and then our response is going to be an integral part of the report, so when you read it and **get to the end**, you will read the professional reaction as it were."

Commissioner Murphy: "Good, that is what I would like."



Chief Gain: "And incidentally, I don't know who got a copy of the report."

Commissioner Ciani: "He doesn't know where the leak occurred."

Chief Gain: "You didn't ask that but I thought I would volunteer that empatically."

REQUEST OF PUBLIC DEFENDER JEFF BROWN FOR PUBLIC HEARING REGARDING POLICY CONCERNING POLICE CODE SECTION 20(a) AND 20 (b) AND VEHICLE CODE SECTION 12951. - CONTINUED FOR TWO (2) WEEKS.

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AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Sanchez, Toler

POLICE COMMISSION CONSIDERATION FOR RETIREMENT FOR DISABILITY OF POLICE OFFICER ALBERT G. SQUAIR PURSUANT TO SECTION 8.559-3 OF THE CHARTER OF THE CITY AND COUNTY OF SAN FRANCISCO. (CONTINUED FROM MARCH 7, 1979) - CONTINUED TO MARCH 28, 1979.

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AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Sanchez, Toler

RESOLUTION NO. 189-79

REQUEST FOR A SUPPLEMENTAL RE-APPROPRIATION IN THE AMOUNT OF \$10,000.00 TO PROVIDE FUNDS FOR MERITORIOUS AWARDS

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RESOLVED, that the Police Commission hereby approves the request for a supplemental re-appropriation to provide funds for Meritorious Awards.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Sanchez, Toler





RESOLUTION NO. 190-79

POLICE OFFICER ROBERT COLMAN, SOUTHERN POLICE STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Robert Colman, Southern Police Station, as follows:

SPECIFICATION NO. 1

Conduct Unbecoming an Officer Which Reflects Discredit Upon the Department. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Failure to Obey a Lawful Order. (Violation of Section 2.45 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Failure to be Respectful to a Superior Officer. (Violation of Section 2.33 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 4

Being Under the Influence of Intoxicating Liquor So As to be Unable to Perform Police Functions. (Violation of Section 2.125 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 5

Failure to Obey a Lawful Order. (Violation of Section 2.45 of the Rules and Procedures of the San Francisco Police Department.)

by Charles R. Gain, Chief of Police; therefore be it

RESOLVED, that the setting of the date for the hearing before the Police Commission on charges



filed against Police Officer Robert Colman, Southern Police Station, be, and the same is hereby set for Wednesday, May 9, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Sanchez, Toler

RESOLUTION NO. 191-79

HEARING OF POLICE OFFICER DAVID PHILIP HERMAN,  
SOUTHEAST POLICE STATION

WHEREAS, the hearing of Police Officer David Philip Herman, Southeast Police Station, was called; and

WHEREAS, Mr. Stephen Bruce Bley, attorney for Officer Herman, stated that because of the unavailability of a key witness in this hearing, he was respectfully requesting a one week continuance; therefore be it

RESOLVED, that the request of Mr. Stephen Bruce Bley, be, and the same is hereby granted, and that the date for the hearing of the disciplinary charges filed against Police Officer David Philip Herman, Southeast Police Station, is continued to Wednesday, March 28, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Sanchez, Toler

HEARING OF STATION OFFICER THOMAS D. O'BRIEN,  
RICHMOND POLICE STATION

The hearing of Station Officer Thomas D. O'Brien, Richmond Police Station, was called, it having been continued from March 14, 1979 to this date. Station Officer Thomas O'Brien was charged with violating the Rules and Procedures as follows:



SPECIFICATION NO. 1

Conduct Reflecting Discredit Upon the Department. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Intoxication Off Duty. (Violation of Section 2.125 of the Rules and Procedures of the San Francisco Police Department.)

in a properly verified complaint by Kevin J. Mullen, Acting Chief of Police of the San Francisco Police Department.

Station Officer Thomas O'Brien appeared in person and was represented by Mr. Joseph A. Desmond, Attorney at Law.

Mr. Lawrence Wilson, Attorney at Law, appeared as the Prosecutor for the Police Department.

The reading of the Charges was waived.

Mr. Joseph Desmond made an opening statement and entered, on behalf of Station Officer Thomas O'Brien, a written plea of "Guilty to Specifications No. 1 and 2."

The following-named witnesses were called by the Prosecution, sworn and testified:

Mrs. Linda Helot  
1745 Claremont  
San Francisco, Ca.

Lieutenant Michael Brush  
Taraval Police Station

Mr. Lawrence Wilson submitted a closing statement on behalf of the Police Department.

Mr. Joseph Desmond presented a closing statement on behalf of the Defense.

The Commission took the matter under submission after which the following resolution was adopted:





RESOLUTION NO. 192-79

DECISION- HEARING OF STATION OFFICER THOMAS D.  
O'BRIEN, RICHMOND POLICE STATION

WHEREAS, on August 30, 1978, Kevin J. Mullen, Acting Chief of Police of the San Francisco Police Department, made and served charges against Station Officer Thomas D' O'Brien, Richmond Police Station, as follows:

SPECIFICATION NO. 1

- a) That at all times mentioned herein, the accused, Thomas O'Brien, was employed by the San Francisco Police Department as a Station Officer at Richmond Police Station;
- b) That on August 17, 1978, members of the San Francisco Police Department responded to a residence at 1745 Kirkham Street to investigate damage to that dwelling which subsequent investigation revealed, had been caused by firearm bullets;
- c) That, in response to San Francisco Fire Department request, officers of the San Francisco Police Department did respond to the Kirkham Street residence and determined that the shots which had damaged the residence had been fired from the upper flat at 1501-22nd Avenue;
- d) That the accused acknowledged being the resident at 1501-22nd Avenue and did converse about the matter with Police Department officers outside his residence;
- e) That the accused, in response to a request from officers, did permit the investigating officers to enter his residence at 1501-22nd Avenue, the windows of which face the windows of the damaged structure on about the same horizontal plane;
- f) That in the residence of the accused the investigating officers observed numerous firearms in plain view and a quantity of ammunition and expended cartridges of sizes fitting these observed firearms;



- g) That the investigation officers learned that gunfire-like sounds had been heard by neighbors intermittently from about 1430 hours until about 1800 hours on August 17, 1978;
- h) That the above allegations and the reports of officers at the scene causes the Chief of Police to allege on information and belief that the shots which damaged the residence at 1745 Kirkham Street were fired by the accused;
- i) That by reason of said conduct, the accused did engage in an act which is proscribed by public policy and law and in so doing did engage in conduct which reflects discredit upon the San Francisco Police Department and which conduct did violate Section 2.13 of the Rules and Procedures of the San Francisco Police Department quoted:

"2.13 - Any breach of the Peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficerlike conduct triable and punishable by the Board."

SPECIFICATION NO. 2

- a) That the allegations of paragraphs (a) through (h) are incorporated herein by reference as if each were fully set forth;
- b) That the investigating officers observed that the accused appeared to have been drinking, had slurred speech, was loud, glassy-eyed and sloppily dressed;
- c) That a blood alcohol test revealed that the amount of alcohol in his body was above the level of legal intoxication in the State of California;



- d) That within the residence were observed several alcoholic beverage bottles;
- e) That the accused, while under the influence of intoxicants, committed the acts alleged in paragraph (f) of Specification No. 1, which is incorporated herein by reference and as if fully set forth, and thus did reflect discredit upon the police department in violation of Section 2.125 of the Rules and Procedures of the San Francisco Police Department, hereinafter set forth:

"2.125 - A member shall not, while on duty or in uniform, drink any kind of intoxicating liquor, or whether on or off duty be under the influence of intoxicating liquor to such an extent that he will not always be prepared to exercise police powers and be entrusted with the performance of police duty in a calm, deliberate and efficient manner."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, March 21, 1979, and that on Wednesday, March 21, 1979, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that said charges made and filed against Station Officer Thomas D. O'Brien, Richmond Police Station, as contained in Specifications Nos. 1 and 2, are sustained by the evidence presented at the hearing and that Station Officer Thomas D. O'Brien violated Sections 2.13 and 2.125 of the Rules and Procedures of the San Francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that Station Officer Thomas D. O'Brien has violated Specifications Nos. 1 and 2, Section 2.13 and 2.125 of the Rules and Procedures of the San Francisco Police Department, and for said violations he shall be dismissed from the San Francisco Police Department; and be it further

RESOLVED, that said dismissal, effective





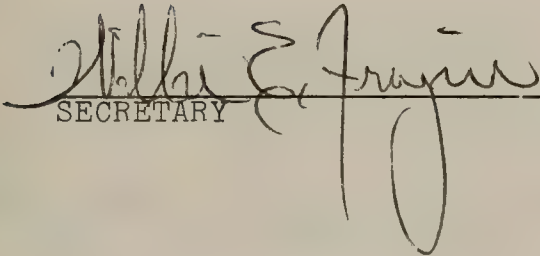
March 21, 1979, at 1830 hours, be, and the same is hereby affirmed and approved.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Ciani, Murphy, Siggins

NOT VOTING: Commissioners Sanchez, Toler

The Commission then adjourned its meeting at 1855 hours.

  
SECRETARY



28 MARCH 1979

REGULAR MEETING

*Minutes*  
The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, March 28, 1979 at 1730 hours in regular session.

PRESENT: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

Commissioner Siggins presiding.

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

1414 VALENCIA STREET - TABERNACLE OF FAITH CHURCH

- a) At 1414 Valencia Street, install a 27' white zone, extending from 2' to 29' north of south building line.
- b) Revoke 18' yellow zone, extending from 29' to 47' north of south building line.
- c) Revoke 27' red zone, extending from 2' to 29' north of south building line.

4300 CALIFORNIA STREET - THE ANTIQUE TRADERS-DENIED

- a) At 4300 California Street, install a 34' green zone, extending from east property line 34' west of same. DENIED

583 SHOTWELL STREET - RIFKIN ELECTRIC CO.-CONTINUED  
ONE WEEK

3721 GEARY BOULEVARD - NEW SHANGHAI EAST

- a) At 3721 Geary Boulevard, revoke existing 22' yellow zone, extending from 2' to 24' west of east property line.
- b) Install meter (Copy of DPW on approval)



2101 MASON STREET - THE PALACE GATE II

- a) At 2101 Mason Street, revoke existing 22' green zone, extending from south property line 22' north of same.

700 LOMBARD STREET - THE PALACE GATE II

- a) At 700 Lombard Street, revoke existing 22' green zone, extending from 13' to 35' west of Mason Street.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 111 feet of red, yellow and green zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 194-79

MICHAEL R. HICKS AND HIS ATTORNEYS

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Michael R. Hicks and his attorneys in the sum of \$75,000.00 in Superior Court Action No. 679-779 entitled "Michael R. Hicks and his attorneys vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: November 22, 1973

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins





RESOLUTION NO. 195-79

LUIZ R. GALLETTI AND HIS ATTORNEYS

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Luiz R. Galletti and his attorneys in the sum of \$2,500.00 in Municipal Court Action No. 736-447 entitled "Luiz R. Galletti and his attorneys vs. City and County of San Francisco, et al.," as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: June 18, 1976

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 196-79

REBECCA R. LEISY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Rebecca R. Leisy against the City and County of San Francisco in the sum of \$24.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 14, 1978

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 197-79

PHYLLIS ROSENMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Phyllis Rosenman against the City and County of San Francisco in the sum of \$23.50 as the result



of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 30, 1978

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 198-79

AUTHORIZING ATTENDANCE OF SERGEANT MICHAEL S. HEBEL, PERSONNEL AND TRAINING, AT THE LAW EVIDENCE AND ARREST UNIT GUIDE REVISION SEMINAR AT SAN DIEGO, CALIFORNIA, FROM APRIL 4, 1979 TO APRIL 5, 1979, INCLUSIVE.

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RESOLVED, that the recommendation of the Chief of Police that Sergeant Michael S. Hebel, Personnel and Training, be detailed to attend the Law Evidence and Arrest Unit Guide Revision Seminar at San Diego, California, from April 4, 1979 to April 5, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Sergeant Michael S. Hebel, Personnel and Training, in a sum not to exceed \$172.00, will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 199-79

AMENDING RESOLUTION NO. 151-79

AUTHORIZING ATTENDANCE OF LIEUTENANT WILLIS A. CASEY, VICE CONTROL DIVISION, AT THE NARCOTIC COMMANDERS' COURSE AT SACRAMENTO, CALIFORNIA, FROM JUNE 25, 1979 TO JUNE 29, 1979, INCLUSIVE.

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RESOLVED: that the recommendation of the Chief of Police that Lieutenant Willis A. Casey, Vice Control Division, be detailed to attend the Narcotic Commanders' Course at Sacramento, California,



from June 25, 1979 to June 29, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Lieutenant Willis A. Casey, Vice Control Division, in a sum not to exceed \$172.00, will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

#### CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "No report tonight Commissioners."

Commissioner Ciani: "I think we should acknowledge that we have received copies of the Department's response to the Budget Analyst's Report. Perhaps we should schedule a more lengthy discussion of it for another meeting since we have a long agenda today, but I want to commend the Staff of the Department for the work they have done in preparing this response under intense time pressure. Although I have some questions on it, I, basically, think it reflects the positions that we have taken for the last three years and I think it is an excellent response to the report. I move that we accept the report, and set aside questions for some future time."

Commissioner Siggins: "Fine, we can do that but the Commissioners can call the Department any time and ask any questions they want. We can put it on the agenda for next week."

Commissioner Sanchez: "Or through the Chair, if I might also add a footnote to that, could we also have a copy of the original POST report so we could see that in context to that, there may a high correlation between that initial report and this, and I think that we should at least review it."

Commissioner Murphy: "There is a high correlation. It's very interesting "

Chief Gain: "I might mention, Commissioners, that on April 4, 1979, the Finance Committee will be discussing the Harvey Rose Staff Report, if any Commissioners are interested in being there."





Commissioner Siggins: "I doubt it. It is the same day of our meeting."

Chief Gain: "it is scheduled for about 4 o'clock next Wednesday."

Commissioner Murphy: "Is there any possibility of getting it a little bit sooner, do you suppose, if we ask them? Well, I think we have great concern about it, we should be able to participate as much as we need to. At least listen to the discussion since we are going to have to pass on various items. Maybe they will make it at three o'clock."

Chief Gain: "We will make that request."

Bob Barry: "Excuse me Mr. President, is this going to be on next week's agenda for a Public Hearing?"

Commissioner Siggins: "Well, the point was we received copies of it last Friday. We have a long agenda tonight and we probably would not get to any discussion on it so we put it over to next week. It's a public meeting, of course, but whether or not it's a public hearing, you are welcome to be here and hear what we have to say about it."

Bob Barry: "Well, we, the Police Association, and I represent the Police Association, would like to speak to the report next Wednesday night."

Commissioner Siggins: "Fine, we will be here if you want to talk to us, fine."

Bob Barry: "If you are going to pass on it next week....."

Commissioner Ciani: "No, we have nothing actually before us to pass on."

Bob Barry: "Okay, there will be nothing before you."

Commissioner Siggins: "I don't think so, no there would be nothing that might come up by way of a motion that would effect any condition, any employment condition within the department that we would pass on without discussing it with the various organizations if they wanted to discuss it with us."

Bob Barry: "Okay, because I don't know what the Agenda of the Board of Supervisors is going to be."



Commissioner Siggins: "Have you read the report?"

Bob Barry: "Well, I have been through it, but I just wanted to make a point that the Police Commission would have to adopt the report if they are going to call for the closing of Police Stations, as well as the Board of Supervisors."

Commissioner Siggins: "No, no."

Bob Barry: "Thank you very much."

Commissioner Siggins: "Okay, Mr. Barry."

PUBLIC HEARING ON PROPOSED CHANGE IN RULES AND  
PROCEDURES AMENDING RULE 2.38 - PERSONAL GROOM-  
ING. (COPIES SENT TO EMPLOYEE ORGANIZATIONS.)

Commissioner Siggins stated that the Commission was in receipt of a letter from Officer Theodore Schlink who is a member of the Board of Directors of the Police Officers' Association, a petition signed by 120 members, and a copy of a letter from the Chief stating that this is an item where more than ten members of the Department would like to effect some type of change and have requested a hearing on the matter in accordance with Rule 2.17 of the San Francisco Police Department's Rules and Procedures.

Officer Theodore Schlink then came forth and presented his proposed change of the Rules and Procedures to the Police Commission. He stated that Rule 2.38 as presently constituted, prohibits San Francisco Police Officers from exercising their personal freedom and right to wear a beard and/or goatee, while in uniform. He introduced Officer Douglas Kidd to model the type of beard, which he was proposing, before the Police Commission. He then demonstrated the feasibility of an officer with a beard wearing a gas mask and assured the Commissioners of its safety. He then presented a written proposal to change Rule 2.38 which was different than that originally presented.

Commissioner Siggins then stated to him that the Commission had an agreement with other employee associations that they would be contacted on proposed rule changes. He stated that with this new proposal the Commission now has to send it out once again to those associations and give them a chance to look it over.



Officer Barry, of the SFPOA, stated that his Association had not taken a stand one way or the other on the Beard issue and would now so waive their right on this additional change.

Officer Schlink then stated that at this time he would withdraw the new proposal.

Mr. Stephen Pilcher, attorney at law, then spoke on behalf of Officer Schlink and the proposed rule change in regard to the safety issue.

Chief Gain stated that he did not believe there was a safety factor involved. He stated that the Department's sole concern is appearance and that the Department's position is that facial hair, as recommended, does not enhance the appearance of uniformed police officers. He further stated that as far as the authority of the Commission to regulate in this area, the United States Supreme Court has clearly stated the Police Commission has the authority, and safety is not a determinant at all. He said if you look at Police Department's throughout the United States you would find, by far, that the majority of Police Department's do not permit facial hair while in uniform.

Commissioner Murphy then stated that with that in mind and that there is no safety factor, she would move that the Commission accept the concept of the 1st proposal and that further work be done on it in order to develop a new set of regulations with respect to beards, facial hair and hair.

Commissioner Siggins then stated that there is now a motion by Commissioner Murphy that has been seconded by Commissioner Toler that Section 2.38 of the Rules and Procedures be amended to allow for Beards, Goatees and other facial hair, that shall be neat, clean, trimmed, and present a groomed appearance. He then called for the question.

Commissioner Ciani stated that she would like to speak to it because she didn't think that she could support that precise language because of it's looseness. She stated that action should be deferred until the Commission is presented with and is in position to adopt more detailed specifications about the length of hair and how it should be trimmed.

Commissioner Murphy stated her intention was that that would be done when the actual order was developed. She said her motion was that the concept of facial hair was acceptable to the Commission and that it would be alright, if proper instructions are given on it.





Commissioner Sanchez then stated as a point of clarification of the motion as he understood it is that the Commission is accepting the concept pertaining to revision, but for further review by Staff and then to be brought back to the Commission for development of specific orders and giving justification, and etcetera, at which time the Commission will vote pertaining to implementation, if indeed, that be the consensus.

Commissioner Siggins: "Question? All in favor?"

AYES: Commissioners Murphy, Sanchez, Toler

NAYS: Commissioner Siggins

NOT VOTING: Commissioner Ciani

POLICE COMMISSION CONSIDERATION FOR RETIREMENT  
FOR DISABILITY OF POLICE OFFICER ALBERT G. SQUAIR.  
PURSUANT TO SECTION 8.559-3 OF THE CHARTER OF THE  
CITY AND COUNTY OF SAN FRANCISCO. (CONTINUED FROM  
THE MEETING OF MARCH 21, 1979).

Commissioner Siggins: "There is a letter here dated March 23rd and we get it March 27th, what are we supposed to do now?"

Sergeant Michael Hebel: "I will just re-iterate the letter. Officer Squair, after my counseling and talking with him for some time, has decided to withdraw his grievance, and, additionally, not to oppose the recommendation of the Chief of Police that this Commission recommend his retirement to the Retirement Board."

Commissioner Siggins: "Well, what is going to happen now?"

Chief Gain: "Well, if the Commission, by motion, will adopt a resolution which is contained in Appendix I, that will request his retirement."

Commissioner Murphy: "I want to be sure that it does say clearly this is not a disability retirement due to it being service connected."

Lawrence Wilson: "Yes, Commissioner Murphy, you are correct, it does not say it is a disability retirement as far as the Department is concerned."

Sergeant Michael Hebel: "Well, that's the concern I had. That's within the jurisdiction of the Retirement Board and the Commission has no jurisdiction over that."



Commissioner Siggins: "Basically, the Commission is following the recommendation of the Police Surgeon that this officer be separated from the Department."

Commissioner Murphy: "I so move."

Commissioner Siggins: "Motion by Commissioner Murphy."

Commissioner Toler: "I second the motion."

Commissioner Siggins: "Seconded by Commissioner Toler. Question? All in favor?"

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 231-79

POLICE OFFICER ALBERT G. SQUAIR

WHEREAS, reports have been received from Chief of Police Charles R. Gain describing the illness, physical impairment and conduct of Police Officer Albert G. Squair; and

WHEREAS, contained in this report is a recommendation from Dr. Norman Steiner, the Police Surgeon, stating that Officer Squair should not be permitted to return to duty; and

WHEREAS, Officer Albert Squair has served over ten years in the department and is eligible for pension benefits under Section 8.559-3 of the Charter of the City and County of San Francisco; and

WHEREAS, under the provisions of Section 8.559-3 of the Charter, the Police Commission is authorized to petition the Retirement Board to retire members who are mentally and physically unfit; therefore be it

RESOLVED, that, in compliance with the provisions of Section 8.559-3 of the Charter of the City and County of San Francisco, the Police Commission does hereby recommend to the Employees' Retirement System that Officer Albert G. Squair be retired from the San Francisco Police Department.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins



RESOLUTION NO. 200-79

REQUEST FOR A SUPPLEMENTAL APPROPRIATION IN THE  
AMOUNT OF \$4,082.00 TO FUND EXPANSION OF THE  
FINGERPRINTING AND PHOTOGRAPHY ROOM.

RESOLVED, that the Police Commission hereby approves a Request for a Supplemental Appropriation in the amount of \$4,082.00 for the purpose of expanding the fingerprint and photography facility of the Identification Section, Records Division, Support Services Bureau.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

POLICE COMMISSION CONSIDERATION FOR RESCISION OF  
SERGEANT THOMAS MAZZUCCO'S POLICE COMMISSION ORDER  
OF TERMINATION WHICH WAS SUSPENDED BASED UPON SUC-  
CESSFUL COMPLETION OF A ONE (1) CALENDAR-YEAR PRO-  
BATIONARY PERIOD.

Chief Gain: "It is the Department's recommendation that his probationary period be terminated as of midnight, the 29th of March, because he satisfactorily satisfied all of the terms and conditions of the probationary year."

Commissioner Murphy: "That's wonderful, congratulations and I move for the termination of the probationary period."

Commissioner Sanchez: "I second it."

Commissioner Siggins: "Is Sergeant Mazzucco here?"

Michael Hebel: "Sergeant Mazzucco is here, yes. If I could say something Commissioners, I feel extremely proud to be able to address the Commission on behalf of Tom. Tom has had some rough times and he made what I call a miraculous recovery. I contribute a lot of it to John Devine, also the the remendous understanding of the Police Commission, to the Chief of Police, and to his Commanding Officer Vic Macia. I think all of these people are to be congratulated along with Tom's wife and his family who were tremendously supportive. He has shown absolutely no indication that he is going to be anything other than a tremendous police officer and he really is a credit to the Department in that he came back as extremely well as he did."





Commissioner Sanchez: "Or could I just speak to the motion, I would just hope that perhaps his services might also be used as part of our program with Officer Devine pertaining to future men and women within the Department who are undergoing the same types of services of rehab. Again, I think it's critical and it does show that the program does work with understanding, with support, and we would like to exploit him in this area too Officer Devine, along with you and the other men and women. I think that's great, fantastic."

Commissioner Siggins: "I remember reading reports from the time we first started here in 1976, regarding Sergeant Mazzucco and reading letters from Father Larry Byrne and reading other things within the Department and I think it is a credit to his entire family that they stuck it out with Tom Mazzucco where he could be here tonight, and I certainly endorse the motion that his probation be terminated and I guess we can congratulate all of ourselves and take personal pride in this."

Stephen Bley: "Commissioners, I would like to say one thing too, I think this is a prime example of the understanding of the Police Commission. You have had, recently, several unfortunate examples where the Commission has attempted to discipline officers who have been unable to help themselves, but I think saving this one fine officer in itself indicates where the prior programs, where unfortunately, we have had two officers to have that difficulty, but the fact that we have been able to save such a fine officer indicates that even though we have had those several failures the majority of them work, and the fact that the Commission and the Chief and his staff has been able to help these men and it shows fine credit upon both the City and the Police Department and the Police Commission."

Commissioner Ciani: "I would like to say I am particularly pleased because I met Sergeant Mazzucco almost 9 years ago when he took me and some other young lawyers out on patrol one evening, he was the first member of the Department I became personally acquainted with and I am very pleased to see that he has overcome his problem."

RESOLUTION NO. 201-79

RECISION OF SERGEANT THOMAS MAZZUCCO'S ORDER OF TERMINATION WHICH WAS STAYED PENDING SUCCESSFUL COMPLETION OF ONE (1) YEAR PROBATIONARY PERIOD.

WHEREAS, on Wednesday, March 29, 1978, Sergeant Thomas Mazzucco, Youth Services Division, in a hearing



before the Police Commission was charged and found guilty of numerous violations of the Rules and Procedures of the San Francisco Police Department (Police Commission Resolution No. 160-78); and

WHEREAS, it was the order of the Police Commission that for said violations, Sergeant Thomas Mazzucco be terminated as a member of the San Francisco Police Department but suspended the execution of the Termination Order providing he successfully complete a one (1) year probationary period under the following conditions at which time the Termination Order would be rescinded:

1. Suspended from duty without pay for thirty (30) Calendar days.
2. Attendance at ACCEPT meetings twice weekly.
3. Peace Officer Status returned to him during working hours only.
4. Shall not carry armament nor shall his police weapons be returned to him.
5. To be subject to a chemical test at any time by his immediate supervisors.
6. Is to remain in the Youth Services Division desk duty at the Hall of Justice only.

and

WHEREAS, on Wednesday, March 28, 1979, Sergeant Thomas Mazzucco, accompanied by Lieutenant Victor Macia, his immediate supervisor, Sergeant Michael Hebel, his attorney, and Officer John Devine, the Special Assistant to the Chief of Police, appeared before the Police Commission with written and verbal reports verifying that Sergeant Thomas Mazzucco has complied with the order of the Police Commission, that he has made a complete recovery and that his participation in ACCEPT has been excellent; therefore be it

RESOLVED, that it is the order of the Police Commission that Sergeant Thomaz Mazzucco's Order of Termination from the San Francisco Police Department, with subsequent stay of execution providing he report to the Police Commission after successful completion of his one (1) year probationary requirements, be, and the same is hereby rescinded; and be it further

RESOLVED, that it is the order of the Police Commission that Sergeant Thomas Mazzucco be granted full restoration of his authority, commensurate with his present rank and assignment.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins



SETTING OF DATE FOR THE HEARING OF POLICE OFFICER  
EDDY L. CASTIGLIONI, PERSONNEL AND TRAINING

Sergeant Michael Hebel: "Commissioners, on this particular matter there are criminal charges pending in Marin County and I would request that this matter be taken off calendar until those charges are resolved in Marin County."

Commissioner Siggins: "Okay, is he still on disability or is he still suspended?"

Robert Byrne: "No, he is no longer on disability, he was returned to duty but is now on suspension. He has to waive his right to have his hearing before the Commission on or before June 3rd of this year."

Commissioner Siggins: "You are representing him Sergeant Hebel?"

Sergeant Michael Hebel: "I am representing him and should that become necessary, we will waive, I don't anticipate at this time that that will be necessary."

Commissioner Siggins: "Okay, do you want to put it over to some time in May?"

Sergeant Michael Hebel: "I would like to put it over sure, if we could put it over perhaps to the first or second Wednesday in May, that would be fine."

Robert Byrne: "Well, the problem is, I think, that the waiver is going to have to be entered at this time because if you get to the second week in May and he decides he wants to have his hearing within the 90 day period of time, we are going to have a very serious time constraint."

Commissioner Siggins: "Well, then we don't have to put it over to May. He doesn't have to do it tonight, just as long as we keep this thing moving along."

Robert Byrne: "I am just concerned about setting the next date too close to the expiration of the 90 day period."





Commissioner Siggins: "Well, let's do it within 30 days then and set it now and then he can waive it. Let's set it for April 25th and then he can waive it if he wants later."

RESOLUTION NO. 202-79

SETTING OF DATE FOR THE HEARING OF POLICE OFFICER  
EDDY L. CASTIGLIONI, PERSONNEL AND TRAINING

WHEREAS, the setting of the date for the hearing of disciplinary charges filed against Police Officer Eddy L. Castiglioni, Personnel and Training, was called; and

WHEREAS, Mr. Robert Byrne stated that Sergeant Michael Hebel is the attorney for Officer Eddy L. Castiglioni, Personnel and Training, and Sergeant Michael Hebel and he agreed that the setting of the date for the hearing of Officer Eddy L. Castiglioni, should be scheduled for April 25, 1979; therefore be it

RESOLVED, that the setting of the date for the hearing before the Police Commission on charges filed against Officer Eddy L. Castiglioni, Personnel and Training, be, and the same is hereby set for Wednesday, April 25, 1979, at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 203-79

SETTING OF THE DATE FOR THE HEARING OF POLICE  
OFFICER KATHERINE ANDERSON, PARK POLICE STATION

WHEREAS, the setting of the date for the hearing of disciplinary charges filed against Police Officer Katherine Anderson, Park Police Station, was called; and

WHEREAS, Mr. Robert Byrne, Legal Office, stated to the Commission that he and Officer Anderson's attorney had conferred upon several dates of which Officer Anderson's hearing could be scheduled; and



WHEREAS, the Commission did not concur with the particular dates presented by Mr. Byrne and advised him to contact Officer Anderson's attorney again and attempt to get some earlier dates for the hearing and continued the matter for one week; therefore be it

RESOLVED, that the date for the setting of the hearing of disciplinary charges filed against Police Officer Katherine Anderson, Park Police Station, is Wednesday, April 4, 1979, at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 204-79

HEARING OF PATROL SPECIAL OFFICER ALBERT ROBLES,  
CENTRAL POLICE DISTRICT

WHEREAS, the hearing of Patrol Special Officer Albert Robles, Central Police District, was called; and

WHEREAS, Mr. Lawrence Wilson, Legal Office, stated that Mr. Jeremiah F. O'Shea, the attorney for Patrol Special Officer Albert Robles, Central Police District, stated that because a key witness was not available and that Officer Albert Robles was sick, he was requesting that the hearing be scheduled for April 25, 1979; therefore be it

RESOLVED, that the date for the hearing of disciplinary charges filed against Patrol Special Officer Albert Robles, Central Police District, is set for Wednesday, April 25, 1979, at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

HEARING OF POLICE OFFICER DAVID P. HERMAN, SOUTHEAST  
POLICE STATION

The hearing of Police Officer David P. Herman, Southeast Police Station, was called, it having been set for this date. Police Officer David P. Herman was charged with violating the Rules and



Procedures, as follows:

\*SPECIFICATION NO. 1

Failure to Prevent Crime, Arrest Offenders and Enforce Penal Laws While Off-Duty. (Violation of Section 2.03 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Engaging in Acts of Prostitution. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Loss of Departmental Equipment and Failure to Report Thereof. (Violation of Sections 2.69 and 7.15 of the Rules and Procedures of the San Francisco Police Department.)

\*SPECIFICATION NO. 4

Improperly Leaving His Assignment While on Duty. (Violation of Sections 2.13, 9.27 and 9.29 of the Rules and Procedures of the San Francisco Police Department)

\*(Deleted at the request of Counsel for the Prosecution.)

in a properly verified complaint by Charles R. Gain, Chief of Police of the San Francisco Police Department.

Police Officer David P. Herman, appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Robert Byrne, Attorney at Law, appeared as the Prosecutor for the Police Department.

The reading of the Charges was waived.

At this time, Mr. Stephen Bruce Bley, on behalf of his client Officer Herman, stated that they were withdrawing the earlier plea of not guilty and entering a plea of "guilty" to Specifications Nos. 2 and 3.





Mr. Robert Byrne, Prosecutor, moved to strike Specification No. 1, which was granted with subsequent deletion of Specification No. 4 by the Police Commission.

Chief Gain then had Mr. Byrne give an overview of the case to the Commission for the purpose of giving a perspective to the Chief's recommendation of a proscribed penalty.

A closing statement was then given by Mr. Bley on behalf of the Defense.

The Commission took the matter under submission after which the following resolution was adopted:

RESOLUTION NO. 205-79

DECISION - HEARING OF POLICE OFFICER DAVID P. HERMAN,  
SOUTHEAST POLICE STATION

WHEREAS, on January 19, 1979, Charles R. Gain, Chief of Police, made and served charges against Police Officer David P. Herman, as follows:

\*SPECIFICATION NO. 1

- a) At all times mentioned herein the accused was, and now is, a police officer employed by the City and County of San Francisco.
- b) In December, 1977, the accused answered an advertisement in a classification called "De Sade" carried in a newspaper named the "Berkeley Barb." As a result of answering this advertisement, the accused met a woman named Diane Dexter.
- c) From December 1977 until April 1978, the accused periodically visited Diane Dexter and, while off-duty, engaged in various sexual and lewd activities with her. On each such occasion the accused paid Diane Dexter a sum of money to engage in said activities with him.
- d) By engaging in said activities as herein alleged the accused and Diane Dexter committed criminal offenses and violated a penal law of the State of California, i.e., engaging in an act of prostitution.



- e) The accused failed to arrest Diane Dexter for said violations of law.
- f) Said conduct of the accused was a violation of Section 2.04 of the Rules and Procedures of the San Francisco Police Department, which states:

"2.03 - Shall at all times while on duty, preserve the peace, prevent crime, detect and arrest offenders and enforce all criminal laws, penal ordinances and all laws and ordinances regulating vehicular and pedestrian traffic and travel upon public highways. While off duty, a member shall take all reasonable steps consistent with Rule 7.13 to preserve the peace, prevent crime, detect and arrest offenders and enforce all criminal laws, penal ordinances and all laws and ordinances regulating vehicular and pedestrian traffic and travel upon public highways."

SPECIFICATION NO. 2

- a) Each and every allegation in paragraphs (a) through (e) of Specification No. 1 is referred to and incorporated herein by such reference as if each such allegation was fully stated.
- b) That facts that the accused was a police officer and engaging in said activities became known to the general public.
- c) Said conduct of the accused constituted a breach of the peace, was neglect of duty, was misconduct, tended to subvert the good order, efficiency and discipline of the San Francisco Police Department, and reflected discredit upon the San Francisco Police Department and the accused, and therefore the accused violated Section 2.13 of the Rules and Procedures of the San Francisco Police Department, which states:

"2.13 - Any breach of the peace, neglect of duty, misconduct or any conduct on



the part of any member either within or without the state which tends to subvert the good order, efficiency and discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are specifically defined or laid down in these Rules and Procedures shall be considered unofficerlike conduct and triable and punishable by the Board."

SPECIFICATION NO. 3

- a) Each and every allegation in paragraphs (a) through (c) of Specification No. 1 is referred to and incorporated herein by such reference as if each such allegations were fully stated.
- b) Prior to December 1977, the San Francisco Police Department issued to the accused a pair of handcuffs, Serial Number 136269. Said Handcuffs were at all times mentioned herein, and are now, property of the San Francisco Police Department.
- c) The accused, intentionally or through negligence, allowed Diane Dexter to gain possession of said handcuffs and to keep said handcuffs in her possession and to take them with her when she moved to New Orleans, Louisiana, in August, 1978.
- d) The accused did not report the loss of the handcuffs.
- e) In October 1978 said handcuffs were mailed to the San Francisco Police Department by Donald Gibbs from New Orleans, Louisiana, along with a letter complaining of the accused's activities with Diane Dexter.
- f) By allowing said handcuffs out of his possession and failure to report them missing, the accused violated Sections 2.69 and 7.15 of the Rules and Procedures of the San Francisco Police Department, which states:





"2.69- Shall be held responsible for the proper care, maintenance and service of all departmental property assigned to his use, and shall promptly report in writing to his commanding officer the loss, damage or unserviceable condition of same."

"7.15- Shall be responsible for the safe keeping and authorized use of his uniform and equipment and shall promptly make a written report of the loss of any such uniform or equipment."

\*SPECIFICATION NO. 4

- a) Each and every allegation in paragraphs (a) through (c) of Specification No. 1 as referred to and incorporated herein by such reference as if each such allegation were fully stated.
- b) On June 26, 1978, a photograph appeared in the San Francisco Chronicle of Diane Dexter holding a sign which read "S/M Liberation." This photograph was posted on a bulletin board at Southeast Station.
- c) Thereafter, while on duty and assigned to duties within the Southeast Police District, the accused drove to 32 Waller Street, San Francisco, located in the Northern Police District, and several miles from the Southeast Police District, to talk to Diane Dexter.
- d) Said trip was not performance of police duty, pursuant to orders on permission of a superior or absolute personal necessity.
- e) The making of said trip by the accused constituted neglect of duty and therefore the accused violated Section 2.13 of the Rules and Procedures of the San Francisco Police Department, which states:

"2.13 - Any breach of the peace, neglect of duty, misconduct or any conduct on



the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered un-officerlike conduct triable and punishable by the Board."

- f) The making of said trip by the accused constituted a violation of Sections 9.27 and 9.29 of the Rules and Procedures of the San Francisco Police Department, which states:

"9.27-Shall, except in case of police emergency, detail or assignment, patrol his beat constantly and diligently to the limits thereof, and shall not loiter or engage in unnecessary conversation with persons thereon."

"9.29-Shall not leave his beat, detail or assignment, EXCEPT:

- .1 Performance of police duty.
- .2 Orders or permission of a superior.
- .3 Absolute personal necessity.

\*(DELETED)

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco, on Wednesday, March 28, 1979, and that on Wednesday, March 28, 1979, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the charges made and filed against Police Officer David P. Herman, Southeast Police Station, as contained in Specifications No. 2 and No. 3 are sustained by the evidence presented at the hearing and that Police Officer David P. Herman violated Sections 2.13, 2.69 and 7.15 of the Rules and Procedures of the San Francisco Police Department; therefore be it



RESOLVED, that it is the order of the Police Commission that Police Officer David P. Herman has violated Specification No. 2, Section 2.13 and Specification No. 3, Section 2.69 and 7.15 of the Rules and Procedures of the San Francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that for said violations, specifically Section 2.13, Police Officer David P. Herman, Southeast Police Station, be suspended for ninety (90) calendar days without pay, commencing Wednesday, April 11, 1979, at 0001 hours, and terminating Monday, July 9, 1979, at 2400 hours.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 206-79

HEARING OF POLICE OFFICER ROBERT LANDUCCI, TARAVAL POLICE STATION

WHEREAS, the hearing of Police Officer Robert Landucci, Taraval Police Station, was called; and

WHEREAS, Mr. Stephen Bruce Bley, Attorney for Police Officer Robert Landucci, stated that because of the length of two hearings presently in progress he was requesting that the hearing for Officer Landucci be rescheduled for May 16, 1979; therefore be it

RESOLVED, that the date for the hearing of disciplinary charges filed against Police Officer Robert Landucci, Taraval Police Station, is set for Wednesday, May 16, 1979, at 5:30 p.m., in Room 551, at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins





CONTINUATION OF THE HEARING OF POLICE OFFICER  
GARY L. DIXON, CENTRAL POLICE STATION

The matter of the hearing of Police Officer Gary L. Dixon, Central Police Station, was called, it having been continued from the meeting of March 19, 1979.

Police Officer Gary L. Dixon, appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Robert Byrne, Attorney at Law, Legal Office, appeared as the Prosecutor for the Police Department.

The following-named witnesses were called by the Defense, sworn and testified:

Police Officer Peter Canaan  
Central Police Station

Sergeant Robert R. Dillon  
Central Police Station

Police Officer George Toy  
Central Police Station

Lieutenant Robert M. Forni  
Central Police Station

Police Officer Edward St. Andre  
Crime Specific Task Force

Police Officer Robbie E. Corley  
Central Police Station

The following exhibit was entered into evidence by the Prosecution:

Exhibit 5. - San Francisco Police Department Booking Card A-7076 Roberson, Paul NM 23, 10/30/55, arrested for 404.6 PC, N/W 243 PC, 148 PC (Resisting) 148 PC (Interfering) dated 10/20/78.

The Commission then adjourned at 2125 hours, and the matter was continued to Wednesday,



April 4, 1979, at 1730 hours, in Room 551,  
Hall of Justice.

(The entire proceedings were  
taken in shorthand form by Hearing  
Reporter Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Ciani, Murphy, Toler,  
Siggins

ABSENT: Commissioner Sanchez

CONTINUATION OF THE HEARING OF POLICE OFFICER  
ROBBIE E. CORLEY, CENTRAL POLICE STATION

The matter of the hearing of Police  
Officer Robbie E. Corley, Central Police Station,  
was called, it having been continued from the  
meeting of March 19, 1979.

Police Officer Robbie E. Corley, ap-  
peared in person and was represented by Mr.  
Stephen Bruce Bley, Attorney at Law.

Mr. Robert Byrne, Attorney at Law,  
Legal Office, appeared as the Prosecutor for  
the Police Department.

The following-named witnesses were  
called by the Defense, sworn and testified:

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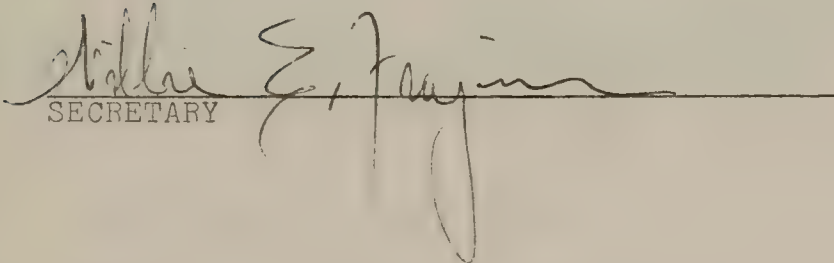
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(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Ciani, Murphy, Toler, Siggins

ABSENT: Commissioner Sanchez

The Commission then adjourned its meeting at 2125 hours.

  
SECRETARY





4 APRIL 1979

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, April 4, 1979 at 1730 hours in regular session.

PRESENT: Commissioners Ciani, Murphy, Toler,  
Siggins

ABSENT: Commissioner Sanchez

JUN 8 1979

Commissioner Siggins presiding.

DOCUMENT RECEIVED  
JUN 11 1979

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

583 SHOTWELL STREET - RIFKIN ELECTRIC CO.

- a) At 583 Shotwell Street, install an 18' yellow zone, extending from north property line 18' south of same.

757 BEACH STREET - ROLF'S

- a) At 757 Beach Street, install a 40' white zone, extending from east building line 40' east of same.
- b) Remove meters 719 and 721.

121 MOULTON - MR. SAHI - GARBAGE CLEARANCE

- a) At 121 Moulton, install a 23' red zone, extending from 40' to 63' west of east property line.
- b) Existing 42' white zone extending from 40' to 82' west of east property line to be moved 23' west.



2961-16th STREET - VICTORIA THEATRE

- a) At 2961-16th Street, install a 35' white zone, extending from 9' to 44' west of east property line.
- b) Remove meters 2931 and 2933.

990 FILBERT STREET - RUDY'S BAR & RESTAURANT -DENIED  
SUPPLY

- a) At 990 Filbert Street, install a 22' yellow zone, extending from west of east property line. DENIED.

1301-19th AVENUE - S.F.P.D.

- a) At 1301-19th Avenue, revoke existing 24' green zone, extending from 18' to 42' south of Irving Street.

AYES: Commissioners Ciani, Murphy, Toler,  
Siggins

NOT VOTING: Commissioner Sanchez

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 24 feet of green zone, at the part of the City, at the location submitted, be, and the same is hereby approved.

AYES: Commissioners Ciani, Murphy, Toler,  
Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 207-79

CALIFORNIA CASUALTY INDEMNITY  
EXCHANGE (LEO E. GRANDI)

RESOLVED, that the recommendation of the



City Attorney for settlement of the claim of the California Casualty Indemnity Exchange (Leo E. Grandi) against the City and County of San Francisco in the sum of \$392.80, as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: October 2, 1978

AYES: Commissioners Ciani, Murphy, Toler, Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 208-79

FRED J. MUSA DBA FRED'S  
LIQUOR & GROCERY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Fred J. Musa dba Fred's Liquor and Grocery against the City and County of San Francisco in the sum of \$161.72 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 11, 1978

AYES: Commissioners Ciani, Murphy, Toler, Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 209-79

ROBERT J. DEL TORRE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert J. Del Torre against the City and County of San Francisco in the sum of \$125.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: September 11, 1978

AYES: Commissioners Ciani, Murphy, Toler, Siggins

NOT VOTING: Commissioner Sanchez





RESOLUTION NO. 210-79

COLLEEN E. COUGHLIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Colleen E. Coughlin against the City and County of San Francisco in the sum of \$23.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 31, 1978

AYES: Commissioners Ciani, Murphy, Toler,  
Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 211-79

NEDRA RUIZ AND HER ATTORNEYS

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Nedra Ruiz and her attorneys in the sum of \$1,000.00 in Municipal Court Action No. 749-728 entitled, "Nedra Ruiz and her attorneys vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: November 18, 1976

AYES: Commissioners Ciani, Murphy, Toler,  
Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 212-79

AUTHORIZING ATTENDANCE OF SERGEANT JERRY BELFIELD, AND POLICE OFFICER SANDRA DALY, INTELLIGENCE UNIT, AT THE SPECIALIZED SURVEILLANCE EQUIPMENT COURSE AT SANTA CRUZ, CALIFORNIA, FROM APRIL 15, 1979 TO APRIL 20, 1979, INCLUSIVE.

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RESOLVED, that the recommendation of the



Chief of Police that Sergeant Jerry Belfield and Police Officer Sandra Daly, Intelligence Unit, be detailed to attend the Specialized Surveillance Equipment Course at Santa Cruz, California, from April 15, 1979 to April 20, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Sergeant Jerry Belfield and Police Officer Sandra Daly, Intelligence Unit, in a sum not to exceed \$257.20 each will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Toler,  
Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 213-79

AUTHORIZING ATTENDANCE OF ASSISTANT CRIMINALISTS TERRY CODDINGTON AND DANIEL LEE, CRIME LABORATORY, AT THE ADVANCED BOTANICAL MICROSCOPY WORKSHOP AT CHICAGO, ILLINOIS, FROM APRIL 16, 1979 TO APRIL 21, 1979, INCLUSIVE.

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RESOLVED, that the recommendation of the Chief of Police that Assistant Criminalists Terry Coddington and Daniel Lee, Crime Laboratory, be detailed to attend the Advanced Botanical Microscopy Workshop at Chicago, Illinois, from April 16, 1979 to April 21, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Assistant Criminalists Terry Coddington and Daniel Lee, Crime Laboratory, in a sum not to exceed \$701.00 each, will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Toler,  
Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 214-79

AUTHORIZING ATTENDANCE OF ASSISTANT INSPECTOR MICHAEL YALON, INVESTIGATIONS ARSON TASK FORCE, AT THE BASIC ARSON INVESTIGATIONS COURSE AT THE



NATIONAL ACADEMY, QUANTICO, VIRGINIA, FROM  
MAY 6, 1979 TO MAY 11, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Assistant Inspector Michael Yalon, Investigations Arson Task Force, be detailed to attend the Basic Arson Investigation Course at the National Academy, Quantico, Virginia, from May 6, 1979 to May 11, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Assistant Inspector Michael Yalon, will be paid by the Federal Bureau of Investigation.

AYES: Commissioners Ciani, Murphy, Toler,  
Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 215-79

AUTHORIZING ATTENDANCE OF SERGEANT ROBERT HULSEY  
AND ASSISTANT INSPECTOR LOUIS LIGOURI, INTELLIGENCE  
UNIT, AT THE ADVANCED TERRORISM ANALYSIS COURSE AT  
SAN LUIS OBISPO, CALIFORNIA, FROM APRIL 22, 1979  
TO APRIL 27, 1979 INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Sergeant Robert Hulsey and Assistant Inspector Louis Ligouri, Intelligence Unit, be detailed to attend the Advanced Terrorism Analysis Course at San Luis Obispo, California, from April 22, 1979 to April 27, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Sergeant Robert Hulsey and Assistant Inspector Louis Ligouri, Intelligence Unit, in a sum not to exceed \$312.00 each will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Toler,  
Siggins

NOT VOTING: Commissioner Sanchez





RESOLUTION NO. 216-79

AUTHORIZING ATTENDANCE OF TWENTY FIVE (25) MEMBERS OF THE PATROL BUREAU AT A BASIC SPECIALIST TEAM TRAINING COURSE AT HAMILTON AIR FORCE BASE, MARIN COUNTY, CALIFORNIA, FROM APRIL 18, 1979 TO APRIL 20, 1979, INCLUSIVE.

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RESOLVED, that the recommendation of the Chief of Police that twenty five (25) members of the Patrol Bureau be detailed to attend a Basic Specialist Team Training Course at Hamilton Air Force Base, Marin County, California, from April 18, 1979 to April 20, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by twenty five (25) members of the Patrol Bureau, in a sum not to exceed \$40.50 each, will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Toler,  
Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 217-79

AUTHORIZING ATTENDANCE OF DEPUTY CHIEF MARIO AMOROSO, SUPPORT SERVICES, DEPUTY CHIEF KEVIN J. MULLEN, FIELD OPERATIONS, COMMANDER CORNELIUS MURPHY, PATROL DIVISION, AND COMMANDER ROBERT SEGHY, TRAFFIC DIVISION, AT THE ADMINISTRATIVE INSTITUTE ON TIME MANAGEMENT AT OAKLAND, CALIFORNIA, ON APRIL 17, 1979.

---

RESOLVED, that the recommendation of the Chief of Police that Deputy Chief Mario Amoroso, Support Services, Deputy Chief Kevin J. Mullen, Field Operations, Commander Cornelius Murphy, Patrol Division, and Commander Robert Seghy, Traffic Division, be detailed to attend the Administrative Institute on Time Management at Oakland, California, on April 17, 1979, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Deputy Chief Mario Amoroso, Support Services, Deputy Chief Kevin J. Mullen, Field Operations, Commander Cornelius Murphy, Patrol Division, and Commander Robert Seghy, Traffic Division, in a sum not to exceed \$10.00 each, will be defrayed by the Police



Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Toler,  
Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 218-79

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Lieutenant Edward Epting	)	\$545.00	(At the Middle
Mission Station	)	each	(Management Train-
	)		(ing Course at Long
Lieutenant Gino Marionetti	)		(Beach, California,
Traffic Bureau	)		(from March 5, 1979
	)		(to March 16, 1979,
Lieutenant Ralph Schaumleffel)			(inclusive.
Taraval Station	)		

AYES: Commissioners Ciani, Murphy, Toler,  
Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 219-79

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Assistant Inspector Morgan)	\$2,264.00	(At the Delinquency
Peterson	)	(Control Institute,
Investigations Bureau-	)	(at Los Angeles, Cal-
Youth Services	)	(ifornia, from Jan-
		(uary 22, 1979 to
		(March 16, 1979, in-
		(clusive.

AYES: Commissioners Ciani, Murphy, Toler,  
Siggins

NOT VOTING: Commissioner Sanchez



RESOLUTION NO. 220-79

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Sergeant Anthony Ribera) \$156.00 (At the Criminal  
Planning and Research ) (Law Instruction  
(Unit Guide Revis-  
(ion Seminar at Los  
(Angeles, California,  
(from March 16, 1979,  
(inclusive.

AYES: Commissioners Ciani, Murphy, Toler,  
Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 221-79

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Police Officer Dirk J. Beijen) \$613.86 (At the Firearms  
Personnel & Training ) Each (Instructor's  
) (Course, at Eureka,  
Police Officer David Alex ) (California, from  
Personnel & Training ) (March 5, 1979 to  
(March 16, 1979,  
(inclusive.

AYES: Commissioners Ciani, Murphy, Toler,  
Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 222-79

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense





Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Deputy Chief Jeremiah P.)	\$311.00	(At a Criminal
Taylor )		(Investigation
Investigations Bureau )		(Management Course
		(at Pomona, Calif-
		(ornia, from March
		(26, 1979 to March
		(28, 1979, inclu-
		(sive.

AYES: Commissioners Ciani, Murphy, Toler,  
Siggins

NOT VOTING: Commissioner Sanchez

#### CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "No report at this time. Maybe I can defer that because Chief DeAmicis will be here to respond to your inquiries on Taxi Cab conditions."

AMENDING PART II, CHAPTER VIII, SAN FRANCISCO MUNI-  
CIPAL CODE (POLICE CODE) BY ADDING ARTICLE 15.6 THERETO,  
REGULATING ESCORT SERVICES.

Chief Gain: "Mr. President, we submitted a letter to you on the proposed ordinance and Captain George Eimil of the Vice Crimes Division is here. Would you like an overview of the contents of the ordinance, or a response to questions?"

Commissioner Siggins: "Yes, I believe we would like an overview of the contents. Is it true that Alfred Bixler has flown the coop?"

Captain George Eimil: "Yes, he went to Thailand. It happened on the ninth of September 1978, we received customer complaints from employees of Escort Services that they were nothing but fronts for prostitution. We checked the San Francisco Examiner and the San Francisco Chronicle, the Classified Sections and we knew that they were carrying approximately 30 different ads. Therefore, we started an investigation into the Escort Services and it revealed that it was a front for prostitution. Six people, so far, have been



arrested for, and convicted, on pimping and pandering charges and charges are pending on 4 other suspects, two suspects Alfred Bixler and his wife have fled the jurisdiction and they have gone to Thailand. As a result of these arrests and convictions, the number of ads for such services have been reduced to 6, all outside of San Francisco. We feel that this ordinance would be a clarification of the true nature as to the type of business. Also it should be known that the Chief of Police requested both Newspapers to withdraw these types of ads, but that request fell on deaf ears. The key part of the ordinance requires one (1) permit to conduct, or beginning, an Escort Service in San Francisco even though the Escort Service may be located in another city. Two (2) an investigation as to the character of the Escort Services, operators, and employees. Three (3) a daily register listing all employees, hours of employment, location where Escort Services are being performed, as well as the fee charged which will enable the department to ascertain the customers record as a deterrent for Escort operators from charging the usual fee of \$100 dollars per hour. For such an absorbent charge more than mere escorting is taking place. The operators of Escort Services are nothing but pimps and panders."

Commissioner Murphy: "Will you have a list also of the customers so that you can get in touch with them, the customers as well as the escorts?"

Captain Eimil: "Yes, this is the same type ordinance we used against Encounter Studios. It was very effective there."

Commissioner Ciani: "Well, my concern is with the definitions which appear to be overly broad and I can think of a lot of innocent situations that could be swept up into these definitions, particularly those of Escort Service and escort."

Captain Eimil: "We got those definitions from an Ordinance in Long Beach, California."

Commissioner Ciani: "Which also deals with Escort Services?"

Captain Eimil: "Yes, we obtained the definitions from an Ordinance in Long Beach."

Commissioner Ciani: "When was that Ordinance adopted and has it been challenged in the courts?"

Captain Eimil: "I am not sure, I don't know."



Commissioner Ciani: "Well,....."

Chief Gain: "Let me ask, what appears to be too broad?"

Commissioner Ciani: "Well, Escort, 'any person who for a fee, reward or profit, accompanies another person to social affairs.' It might be argued that one who goes on a date and expects to get dinner in exchange for going on the date is an Escort under that definition. And an Escort Service could include anyone who fixes someone up on a blind date. Not that I think you would enforce it that way, but I think the definitions are pretty broad."

Captain Eimil: "All that it requires is that they obtain a permit."

Chief Gain: "It would seem to me that the Definition Escort of Escort Service and Escort Person if you read those together it wouldn't apply, for example, to someone going to dinner."

Commissioner Ciani: "Would you explain then?"

Chief Gain: "Well, it seems, there are two sections (a) on Escort Services and (b) providing Escorts and they are both applied together. I don't know how they can apply to someone who is only going to dinner."

Commissioner Ciani: "Why not?"

Chief Gain: "It wouldn't seem to apply."

Commissioner Ciani: "Escort Service 'any person who, for any reward, arranges for a person to meet someone else who may accompany them to a social affair.' That doesn't seem to limit what it might cover."

Commissioner Higgins: "Well, I think in the area of definitions it's alright. It doesn't mean that it applied to everybody until you become an operator of an Escort Service. I believe you have to operate an Escort Service to apply for a permit."

Chief Gain: "And an Escort is not, in other words, an Escort Service."

Commissioner Ciani: "I don't think operator is a very narrow definition either."





Commissioner Toler: "Well, possibly, what we could do is adopt the resolution and then the language could be cleared up so that it would fit your request Commissioner Ciani. I think this may be the way we should go, but I do think we should put a handle on this thing so we could have some control. At present, we have none."

Captain Eimil: "There is no control."

Commissioner Siggins: "What Captain Eimil is trying to do is eliminate the placement of the ads by these people who he calls pimps and panders, and I think this is aimed at that. I would vote for the resolution and the adoption of the ordinance."

Chief Gain: "I think if the definitions are too broad the City Attorney will certainly analyze that and make changes."

Commissioner Ciani: "Who drafted this?"

Captain Eimil: "Our Legal Office, and it was reviewed by the City Attorney."

Chief Gain: "It goes to the City Attorney now."

Commissioner Murphy: "To be re-drafted or whatever, and then presented to the Board."

Chief Gain: "Right, they will approve it as to form and content, and, obviously, make any changes they feel are appropriate, and then it goes to the Board of Supervisors."

Commissioner Ciani: "Well, I have no problem at all with what is intended to be accomplished. I simply raised the question about whether it's so broad that it might be abused in being applied."

Chief Gain: "Well, we can assure you it will not be abused when it is applied."

Commissioner Ciani: "I am sure that you wouldn't abuse it."

Commissioner Toler: "I move that we adopt the resolution as so stated here."



Commissioner Murphy: "Second."

Commissioner Siggins: "Okay, the Resolution as so stated in Appendix I. I call for the question. All in favor?"

AYES: Commissioners Ciani, Murphy, Toler, Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 230-79

AMENDING PART II, CHAPTER VIII, SAN FRANCISCO MUNICIPAL CODE (POLICE CODE) BY ADDING ARTICLE 15.6 THERETO, REGULATING ESCORT SERVICES.

WHEREAS, many Escort Services operating in the City and County of San Francisco, are being used as "fronts" for prostitution and related activities; and

WHEREAS, the public interest will be served by regulating the Escort Service business; therefore be it

RESOLVED, that the Police Commission hereby requests the Board of Supervisors of the City and County of San Francisco to adopt the proposed Ordinance establishing regulations for the Escort Service business.

(Copy of proposed Ordinance on file in the Office of the Police Commission.)

AYES: Commissioners Ciani, Murphy, Toler, Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 245-79

PATROL SPECIAL OFFICER KUNG KAY CHIU - SALE OF PORTION OF BEAT - APPROVED

RESOLVED, that the request of Patrol Special Officer Kung-Kay Chiu, to sell a portion of his beat, Beat #7, Central Police District, said portion to be sold will be designated as Beat #2, Central Police District, to Assistant Patrol Special Officer Kung-Ming Chiu,



effective April 4, 1979, be, and the same is hereby approved.

AYES: Commissioners Ciani, Murphy, Toler,  
Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 246-79

PATROL SPECIAL OFFICER KUNG-MING CHIU - APPROVED

RESOLVED, that Assistant Patrol Special Officer Kung-Ming Chiu, be, and he is hereby appointed as a Patrol Special Officer for Beat #2, Central Police District; said appointment effective April 5, 1979, he having purchased a portion of Beat #7, Central Police District, said portion of which has been designated as Beat #2, Central Police District, from Patrol Special Officer Kung-Kay Chiu.

AYES: Commissioners Ciani, Murphy, Toler,  
Siggins

NOT VOTING: Commissioner Sanchez

REQUEST OF PUBLIC DEFENDER JEFF BROWN FOR A PUBLIC HEARING REGARDING POLICE POLICY CONCERNING POLICE CODE SECTION 20a AND 20b AND VEHICLE CODE SECTION 12951. (CONTINUED FROM MARCH 21, 1979.) - CONTINUED FOR TWO WEEKS.

Jeff Brown: "Yes, my name is Jeff Brown, I am the Public Defender of this City and I am requesting a formal hearing on the issue as to whether in all cases of infractionable offenses, offenses that can be charged either as misdemeanor or infractions. The police would be required to issue a citation to the individual, except in those case in which the individual refuses to sign a citation. the reason is that many of the offenses that we see in the courts that people are arrested for do not carry a, or, are not subject to, a jail sentence. They may be charged with a misdemeanor but ultimately when the matter reaches the courts the complaint is filed as an infraction. An infractionable offense is not an offense for which anybody can be put in jail, yet we see a great many individuals every day arrested on the streets of our city, taken in to custody, and ultimately brought to court, in custody, only to find that they are charged only with infractions. Now this is of some concern because I am of the opinion, and I think that the policy of the law is to this effect, is that we should, in misdemeanor cases, and in other minor offenses, encourage some-





thing, some alternative, to pretrial detention. It's for this reason that I am requesting that the Commission hold a hearing to consider the constitutional issues and to consider some of the practices of the police department, in so far as these offenses are concerned."

Commissioner Siggins: "Have you seen the new Citation Procedures?"

Jeff Brown: "I saw the Citation Procedures that Chief Gain enunciated some months ago."

Commissioner Siggins: "Well, aren't there some we worked on more recently than that. A couple of months ago?"

Commissioner Murphy: "Two months ago, yes."

Chief Gain: :Those procedures have application. I think that Mr. Brown's main point is the practice that has occurred wherein the Police Department Personnel have made arrest for Sections 20a and 20b, but as he states they are treated as infractions and is not charged as a misdemeanor, and I guess not one has been charged according to Mr. Brown. Now we have been working on this and conferring with the District Attorney's Office and I didn't have knowledge of the situation until I saw Mr. Brown's letter and here is what we will be doing, and I hope that before the week is over that we are going to change the practice that persons found violating either Sections 20a or 20b of the Municipal Police Code will be either warned, or cited, and then if within 24 hours after the time of the original citation they are again observed violating either section they will be arrested rather than cited, and we think that that will meaningfully address the problem. So that they are arrested and the District Attorney's Office will, which we understand he will, charge those who were arrested, based upon the particular circumstances that will result in persons being charged. And I think that's Mr. Brown's concern."

Jeff Brown: "Well, I think that's a step forward. Maybe, perhaps, we should do this rather than to get into a formal hearing. Maybe we should just continue my request for hearing to a point after which you have already worked out and promulgated some sort of policy to that effect, and then I could review it and see whether that meets my particular objections."

Commissioner Murphy: "Could I ask Mr. Brown, who would you see as attending the Public Hearing on either side, of course, the Police Department on one side."



Jeff Brown: "Either people who had been arrested for this offense and I have heard from some people, also people who have concerns about the constitutional issues, such as the members of the American Civil Liberties Union."

Chief Gain: "Well, it would seem, as far as any issue of constitutionality, that that should be discussed and tested elsewhere."

Jeff Brown: "The only problem Chief is that we get into an exhaustion of remedies situation, and I thought that before I raised the issue of it, vicious use of this law, that I should address the administrative body over which these practices are conducted to attempt to change them."

Chief Gain: "I can understand that. It would seem as though if someone is charged, as we contemplate now, then there would be an opportunity to test the constitutionality."

Commissioner Siggins: "Well, as I understand it, the Department is going to confer with the District Attorney's Office regarding the change in the practice. You can't quarrel with that at all."

Jeff Brown: "No I can't."

Chief Gain: "We have already done that. We have already conferred and we will be issuing, as I say, hopefully, before this week is over. It's just a matter of getting the writing done so that the practice will be citation on the first offense, and then, if, within 24 hours, the same individual violates either section again, then he will be arrested."

Jeff Brown: "Alright, could I suggest then that my request just go over two weeks and if there is no problem with the regulations, or the policies to be put into effect, I will just ask that the matter be withdrawn."

Commissioner Siggins: "Fine, I think that's a very good idea Mr. Brown and thank you for calling the matter to our attention."

Jeff Brown: "Thank you Chief. I must say that Chief Gain has been totally cooperative in this matter and I appreciate his concern. So this is put over two weeks."

Commissioner Siggins: "Fine, we will put it over two weeks."



Chief Gain: "May I raise this Mr. Brown and Commissioners, will two weeks be sufficient time, Mr. Brown, for you to see the results?"

Jeff Brown: "No, all I want is two weeks to review it."

RESOLUTION NO. 223-79

REQUEST FOR A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$298,300.00 TO CONTINUE THE SENIOR ESCORT OUTREACH PROGRAM.

RESOLVED, that the Police Commission hereby approves a request for a Supplemental Appropriation in the amount of \$298,300.00 from Parking Tax Funds for the Senior Citizen Escort Outreach Program in Fiscal Year 1979-1980.

AYES: Commissioners Ciani, Murphy, Toler, Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 224-79

REQUEST FOR A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$3,080.00 TO RECLASSIFY ONE VACANT POSITION OF 8213 POLICE SERVICE AIDE TO ONE POSITION OF 7410 AUTOMOTIVE SERVICE WORKER.

RESOLVED, that the Police Commission hereby approves the request for a Supplemental Appropriation in the amount of \$3,080.00 which will reclassify one vacant position of 8213 Police Service Aide to Class 7410 Automotive Service Worker.

AYES: Commissioners Ciani, Murphy, Toler, Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 225-79

REQUEST FOR A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$3,820.00 TO CLASSIFY TWO VACANT POSITIONS





OF 1442 JUNIOR CLERK STENOGRAPHERS TO TWO POSI-  
TIONS OF 1424 CLERK TYPIST.

RESOLVED, that the Police Commission hereby approves the request for a Supplemental Appropriation in the amount of \$3,820.00 which will reclassify two vacant 1442 Junior Clerk Stenographer positions to two positions in Class 1424 Clerk Typist.

AYES: Commissioners Ciani, Murphy, Toler,  
Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 226-79

REQUEST FOR A SUPPLEMENTAL APPROPRIATION IN THE  
AMOUNT OF \$2,946.00 TO RECLASSIFY ONE POSITION  
OF LEGAL STENOGRAPHER TO ONE POSITION OF SENIOR  
LEGAL STENOGRAPHER.

RESOLVED, that the Police Commission hereby approves the request for a Supplemental Appropriation in the amount of \$2,946.00 which will reclassify one position of 1458 Legal Stenographer to one position of 1460 Senior Legal Stenographer.

AYES: Commissioners Ciani, Murphy, Toler,  
Siggins

NOT VOTING: Commissioner Sanchez

SETTING OF THE DATE FOR THE HEARING OF POLICE  
OFFICER KATHERINE ANDERSON, PARK POLICE STATION

Commissioner Siggins: "Are we ready to set that?"

Robert Byrne: "Yes, we are at your direction, I contacted Mr. Sperlock who will be representing Officer Anderson, to find out what dates on Mondays, he would be available, and the 1st available Monday that he has is April 30th and I suggest that it be set for that date."

Commissioner Siggins: "Okay."

Robert Byrne: "And there is one other matter in this connection. I would like to make a motion to make a small amendment to Paragraph (e) of



Specification No. 1. I have discussed this with Mr. Sperlock and he has no objections. And I would like Paragraph (e) of Specification No. 1 to read as follows: 'The accused disobeyed said order in that she was not present at her said assignment for much or all of the period between 2230 hours.....' and then it goes on as indicated."

Commissioner Siggins: "Okay. That takes care of that item."

RESOLUTION NO. 227-79

SETTING OF THE DATE FOR THE HEARING OF POLICE OFFICER KATHERINE ANDERSON, PARK POLICE STATION

WHEREAS, the setting of the date for the hearing of disciplinary charges filed against Police Officer Katherine Anderson, Park Police Station, was called; and

WHEREAS, Mr. Robert Byrne, Legal Office, stated that he and Officer Anderson's attorney, by mutual agreement, are respectfully requesting that Monday, April 30th, 1979, be set as the date for Officer Anderson's hearing; therefore be it

RESOLVED, that the date for the hearing of disciplinary charges filed against Police Officer Katherine Anderson, Park Police Station, is set for Monday, April 30, 1979, at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Toler, Siggins

NOT VOTING: Commissioner Sanchez

Lieutenant Frazier: "With the Commission's permission, we will return to item #3, Chief's Report to the Police Commission."

Chief Gain: "Mr. President, members of the Commission, you asked questions last week on a report in regards to taxicab regulations, and convenience and necessity matters, and Mr. Robert Byrne can respond to your questions, if that is your pleasure."

Robert Byrne: "Would you like to ask specific questions or would you like for me to give you an overview of what is happening?"



Commissioner Siggins: "Well, how about explaining to us...do we want to do it tonight?" We really have a desire to move along with this matter (disciplinary hearings) and get it finished tonight."

Chief Gain: "We are just responding to normal request of last week. If time permits now we will put it in writing, because we know what the questions are."

Commissioner Siggins: "Well, first of all, the department is working on, and has worked on, the implementation of Proposition K, isn't it?"

Robert Byrne: "That's right."

Commissioner Siggins: "Okay, that's what we really wanted to be brought up to date on and the manner in which it is being done, the regulations are being set forth by the Chief, and so forth, because we get asked questions about it."

Robert Byrne: "I can easily do that now, or we can fill in the Chief, and he can do it in writing."

Commissioner Siggins: "Well, let's do it later, because we want to use as much time as we can tonight."

Chief Gain: "We will give it to you in writing."

Robert Byrne: "Can I just bring up one matter?"

Commissioner Siggins: "Sure."

Robert Byrne: "Because this was a question. Under Proposition K it's incumbent upon the Commission to have hearings to determine whether there is Public Convenience and Necessity for the issuance of further Vehicle for Hire Permits. We have now received all of the applications and other information requested, and in order to avoid further delay the Commission now want to select dates for those hearings."

Commissioner Siggins: "Well, I don't want to do it now, I will discuss it with you later. Let's move along with the next item here."





CONTINUATION OF THE HEARING OF POLICE OFFICER  
GARY L. DIXON, CENTRAL POLICE STATION

The matter of the hearing of Police Officer Gary L. Dixon, Central Police Station, was called, it having been continued from the meeting of March 28, 1979.

Police Officer Gary L. Dixon, appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Robert Byrne, Attorney at Law, Legal Office, appeared as the Prosecutor for the Police Department.

The following-named witnesses were called by the Defense, sworn and testified:

Police Officer Robbie E. Corley  
Central Police Station

Police Officer Gary L. Dixon  
Central Police Station

The following-named witness was called by the Prosecution, sworn and testified:

Inspector Billye E. Morrow  
Internal Affairs Bureau

The following exhibit was entered into Evidence by the Defense:

Exhibit A - One 3-1/4 x 4-1/4 "Mug Shot"  
Photograph of Paul Roberson,  
SF No. 344065, dated October  
30, 1978.

A closing statement was made by Mr. Robert Byrne, on behalf of the Prosecution.

A closing statement was also made by Mr. Stephen Bruce Bley, on behalf of the Defense.

The Commission took the matter under submission, after which the following resolution was adopted:



RESOLUTION NO. 228-79

DECISION - HEARING OF POLICE OFFICER GARY L. DIXON,  
CENTRAL POLICE STATION

WHEREAS, on January 8, 1979, Charles R. Gain, Chief of Police of the San Francisco Police Department, made and served charges against Police Officer Gary L. Dixon, Central Police Station, as follows:

SPECIFICATION NO. 1

- a) At all times mentioned the accused was, and now is, a police officer employed by the City and County of San Francisco and assigned to Central Station;
- b) On October 30, 1978, at approximately 1700 hours, in the vicinity of Geary and Powell Streets, San Francisco, California, the accused and Officer Robbie E. Corley, Jr., Star No. 809, were engaged in the subduing and arrest of an individual named Cleophus Robertson;
- c) Paul Roberson (hereafter referred to as "Roberson") was a member of a group of bystanders observing said arrest;
- d) After completion of the arrest of Cleophus Robertson, the accused entered the group of bystanders and arrested Roberson for violation of 148 P.C. (Interfering with a peace officer), 404 P.C. (Urging a riot or urging others to commit acts of force or violence), and 405A P.C. (Lynching);
- e) While he was a member of said group of bystanders and until the time of his arrest, Roberson acted in a peaceful and lawabiding manner, did not commit the crimes for which he was arrested by the accused, and did not violate any other law, ordinance, or regulation of the City and County of San Francisco, of the State of California, or of any other governmental agency;



- f) At the time he arrested Roberson, the accused did not have probable cause to believe Roberson had committed any one of the crimes for which he was arrested or that Roberson violated any other law, ordinance, or regulation whatever;
- g) Said conduct of the accused constituted a breach of the peace, neglect of duty, was misconduct, tended to subvert the good order, efficiency and discipline of the San Francisco Police Department, and reflected discredit upon the San Francisco Police Department and the accused, and therefore the accused violated Section 2.13 of the Rules and Procedures of the San Francisco Police Department which states:

"2.13 Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficer-like conduct triable and punishable by the Board."

SPECIFICATION NO. 2

- a) Each and every allegation in paragraphs (a) through (f) of Specification No. 1 is referred to and incorporated herein by such reference as if each such allegation was fully stated;
- b) After his arrest Roberson was transported to Central Station;
- c) Upon his arrival at Central Station, Roberson was temporarily placed in the booking area;
- d) At the scene of his arrest, and while in the booking area, Roberson had no visible injuries of any kind to his person;
- e) After he had been in the booking area for a short time, Roberson was taken by the accused and by Officer Robbie E. Corley, Jr., Star No. 809, to the garage





area of Central Station;

- f) In the garage area, the accused repeatedly struck and kicked Roberson; Roberson was handcuffed at this time;
- g) Shortly after the time during which Roberson was being struck and kicked, Inspector Billye Morrow of the San Francisco Police Department, Internal Affairs Bureau, received a telephone call from an anonymous caller who stated that she had just looked through a hole in the door to the garage area of Central Station and had seen a man in uniform beating an unknown male;
- h) Roberson was taken back to the booking area of Central Station and was thereafter observed to have facial injuries;
- i) As a result of his beating by the accused and Officer Corley, Roberson suffered injuries to his face, leg, wrists and ribcage;
- j) Said conduct of the accused constituted a breach of the peace, tended to subvert the good order, efficiency and discipline of the San Francisco Police Department, and reflected discredit upon the San Francisco Police Department and the accused, and therefore the accused violated Section 2.13 of the Rules and Procedures of the San Francisco Police Department, which states:

"2.13-Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency and discipline of the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures, shall be considered unofficerlike conduct triable and punishable by the Board."



SPECIFICATION NO. 3

- a) Each and every allegation in paragraphs (a) through (f) of Specification No. 1 and paragraphs (b) through (i) of Specification No. 2, is referred to and incorporated herein by such reference as if each such allegation was fully stated;
- b) Subsequently, Inspector Billye Morrow, Star No. 1270, of the Internal Affairs Bureau, was assigned by lawful authority to investigate the alleged beating of Roberson;
- c) In the course of said investigation, Inspector Morrow interviewed the accused, who denied that he had either struck or kicked Roberson while at Central Station;
- d) Said denials by the accused were untruthful;
- e) The untruthful denials alleged above constitute a violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department, which states;

"2.49 -Shall, when called upon by a superior officer, or by one specially assigned by lawful authority to conduct an investigation involving police matters, or any matter affecting the conduct of a member or members, truthfully answer all questions propounded. All reports, statements and declarations made orally, or in writing in the foregoing matters shall contain the truth without evasion."

and

WHEREAS, hearings on said charges were held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, March 14, 1979, Monday, March 19, 1979, Wednesday, March 28, 1979, and Wednesday, April 4, 1979, and that on Wednesday, April 4, 1979, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that said charges made and filed against Police Officer Gary L. Dixon, Central Police Station, as contained in Specifications Nos. 1, 2, and 3, are sustained by the evidence presented at the hearing and that Police Officer Gary L. Dixon, violated Sections 2.13, 2.13, and 2.49 of the Rules



and Procedures of the San Francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Gary L. Dixon, has violated Specification No. 1, Section 2.13 of the Rules and Procedures of the San Francisco Police Department, and for said violation he shall be suspended from duty without pay for fifteen (15) calendar days; and be it further

RESOLVED, that it is the order of the Police Commission that Police Officer Gary L. Dixon has violated Specification No. 2, Section 2.13 of the Rules and Procedures of the San Francisco Police Department, and for said violation he shall be suspended from duty without pay for ninety (90) calendar days; and be it further

RESOLVED, that it is the order of the Police Commission that Police Officer Gary L. Dixon has violated Specification No. 3, Section 2.49 of the Rules and Procedures of the San Francisco Police Department, and for said violation he shall be suspended from duty without pay for thirty (30) calendar days; and be it further

RESOLVED, that it is the order of the Police Commission that the above stated suspensions from duty without pay imposed upon Police Officer Gary L. Dixon, shall run consecutively commencing Thursday, April 5, 1979, at 0001 hours and terminating Friday, August 17, 1979, at 2400 hours.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsèy A. McTaggart, C.S.R.)

Recesses taken: 1905 hours to 1920 hours.  
2107 hours to 2127 hours.

AYES: Commissioners Ciani, Murphy, Toler,  
Sanchez

NOT VOTING: Commissioner Sanchez

CONTINUATION OF THE HEARING OF POLICE OFFICER ROBBIE E. CORLEY, CENTRAL POLICE STATION

The matter of the hearing of Police Officer Robbie E. Corley, Central Police Station, was called, it having been continued from the meeting of March 28, 1979.





Police Officer Robbie E. Corley, appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Robert Byrne, Attorney at Law, Legal Office, appeared as the Prosecutor for the Police Department.

The following-named witnesses were called by the Defense, sworn and testified:

Police Officer Robbie E. Corley  
Central Police Station

Police Officer Gary L. Dixon  
Central Police Station

The following-named witness was called by the Prosecution, sworn and testified:

Inspector Billye E. Morrow  
Internal Affairs Bureau

The following exhibit was entered into Evidence by the Defense:

Exhibit A - One 3-1/4 x 4-1/4 "Mug Shot"  
Photograph of Paul Roberson,  
SF No. 344065, dated October  
30, 1978.

A closing statement was then made by Mr. Robert Byrne on behalf of the Prosecution.

A closing statement was also made by Mr. Stephen Bruce Bley on behalf of the Defense.

The Commission took the matter under submission after which the following resolution was adopted:

RESOLUTION NO. 229-79

DECISION - HEARING OF POLICE OFFICER ROBBIE E. CORLEY,  
CENTRAL POLICE STATION

WHEREAS, on January 4, 1979, Charles R. Gain, Chief of Police of the San Francisco Police Department,



made and served charges against Police Officer Robbie E. Corley, Central Police Station, as follows:

SPECIFICATION NO. 1

- a) At all times mentioned herein, the accused was, and now is, a police officer employed by the City and County of San Francisco and assigned to Central Station;
- b) On October 30, 1978, at approximately 1700 hours, in the vicinity of Geary and Powell Streets, San Francisco, California, Paul Roberson (hereafter referred to as "Roberson") was arrested and was thereupon transported to Central Station;
- c) Upon his arrival at Central Station Roberson was temporarily placed in the booking area;
- d) At the scene of his arrest, and while in the booking area, Roberson had no visible injuries of any kind to his person;
- e) After he had been in the booking area for a short time, Roberson was taken by the accused and by Officer Gary L. Dixon, Star No. 1956, to the garage area of Central Station;
- f) In the garage area the accused repeatedly struck and kicked Roberson and tried to choke him; Roberson was handcuffed at this time;
- g) Shortly after the time during which Roberson was being struck and kicked, Inspector Billye Morrow of the San Francisco Police Department, Internal Affairs Bureau, received a telephone call from an anonymous caller who stated that she had just looked through a hole in the door to the garage area of Central Station and had seen a man in uniform beating an unknown male;
- h) Roberson was taken back to the booking area of Central Station and was



thereafter observed to have facial injuries;

- i) As a result of his beating by the accused and Officer Dixon, Roberson suffered injuries to his face, leg, wrists, and ribcage;
- j) Said conduct of the accused constituted a breach of the peace, tended to subvert the good order, efficiency and discipline of the San Francisco Police Department, and reflected discredit upon the San Francisco Police Department and the accused, and therefore the accused violated Section 2.13 of the Rules and Procedures of the San Francisco Police Department, which states:

"2.13-Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures, shall be considered unofficer-like conduct triable and punishable by the Board."

SPECIFICATION NO. 2

- a) Each and every allegation in paragraphs (a) through (i) of Specification No. 1, is referred to and incorporated herein by such reference as if each such allegation was fully stated:
- b) Subsequently, Inspector Billye Morrow, Star No. 1270 of the Internal Affairs Bureau, was assigned by lawful authority to investigate the alleged beating of Roberson;
- c) In the course of said investigation, Inspector Morrow interviewed the accused, who denied that he had either struck or kicked Roberson while at Central Station;
- d) Said denials by the accused were untruthful;





- e) The untruthful denials alleged above constitute a violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department, which states:

"2.49-Shall, when called upon by a superior officer, or by one specially assigned by lawful authority to conduct an investigation involving police matters, or any matter affecting the conduct of a member or members, truthfully answer all questions propounded. All reports, statements, and declarations made orally or in writing in the foregoing matters shall contain the truth without evasion."

and

WHEREAS, hearings on said charges were held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, March 14, 1979, Monday, March 19, 1979, Wednesday, March 28, 1979, and Wednesday, April 4, 1979, and that on Wednesday, April 4, 1979, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that said charges made and filed against Police Officer Robbie E. Corley, Central Police Station, as contained in Specifications Nos. 1, and 2, are sustained by the evidence presented at the hearings and that Police Officer Robbie E. Corley, violated Sections 2.13, and 2.49 of the Rules and Procedures of the San Francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Robbie E. Corley, has violated Specification No. 1, Section 2.13 of the Rules and Procedures of the San Francisco Police Department, and for said violation he shall be suspended from duty without pay for ninety (90) calendar days; and be it further

RESOLVED, that it is the order of the Police Commission that Police Officer Robbie E. Corley, has violated Specification No. 2, Section 2.49 of the Rules and Procedures of the San Francisco Police Department, and for said violation he shall be suspended from duty without pay for thirty (30) calendar days; and be it further

RESOLVED, that it is the order of the Police Commissioner that the above stated suspensions from duty without pay imposed upon Police



Officer Robbie E. Corley, shall run consecutively, commencing Thursday, April 5, 1979, at 0001 hours, and terminating Tuesday, August 2, 1979, at 2400 hours.

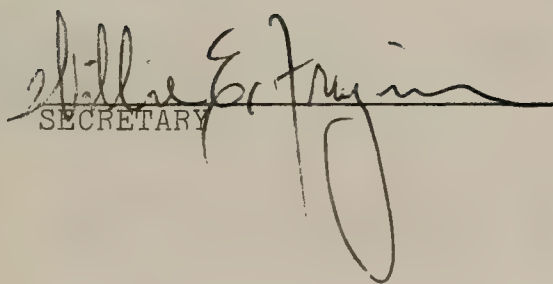
Recesses taken: 1905 hours to 1920 hours.  
2107 hours to 2127 hours.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Ciani, Murphy, Toler, Siggins

NOT VOTING: Commissioner Sanchez

The Commission then adjourned its meeting at 2150 hours.

  
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SECRETARY



11 APRIL 1979

REGULAR MEETING

The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, April 11, 1979 at 1730 hours in regular session.

PRESENT: Commissioners Ciani, Murphy, Toler, Siggins

ABSENT: Commissioner Sanchez

Commissioner Siggins presiding.

JUN 12 1979

DOCUMENTS DEPT.  
S.F. PUBLIC LIBRARY

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

550 MISSION STREET - GOLDEN GATE UNIVERSITY

- a) At 550 Mission Street, install a 44' white zone, extending from 66' to 110' west of Ecker Street.

APPROXIMATELY 536 MISSION STREET - GOLDEN GATE UNIVERSITY

- a) At approximately 536 Mission Street, install a 22' Blue Zone, extending from 44' to 66' west of Ecker Street.

550 MISSION STREET - GOLDEN GATE UNIVERSITY

- a) At 550 Mission Street, install a 22' Blue zone, extending from 110' to 132' west of Ecker Street.

APPROXIMATELY 57 JESSIE STREET - GOLDEN GATE UNIVERSITY - DENIED

- a) At approximately 57 Jessie Street, install a 13' red zone, extending from 31' to 44'





west of east property line. DENIED.

APPROXIMATELY 67 JESSIE STREET - GOLDEN GATE  
UNIVERSITY - DENIED

- a) At approximately 67 Jessie Street,  
install a 20' red zone, extending  
from 54' to 74' east of west property  
line. DENIED.

#1 TIFFANY - VALENCIA MEDICAL PHARMACY

- a) At #1 Tiffany, revoke existing 40'  
white zone, extending from 3' to 43'  
south of Duncan Street.
- b) Replace with two meters.

AYES: Commissioners Ciani, Murphy, Toler,  
Siggins

NOT VOTING: Commissioner Sanchez

REVOKED

RESOLVED, that the recommendation of  
the Traffic Bureau on the revocation of 40 feet  
of white zone, at the part of the City, at the  
location submitted, be, and the same is hereby  
approved.

AYES: Commissioners Ciani, Murphy, Toler,  
Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 232-79

CONTINGENT FUND FOR THE MONTH OF APRIL, 1979-APPROVED

RESOLVED, that the Controller be, and he is  
hereby requested to draw a voucher in favor of Chief  
of Police Charles R. Gain, in the amount of \$6,000.00



charging same to Firm No. 355081 2010 01 as an advance on the Police Contingent Fund for the month of April, 1979.

AYES: Commissioners Ciani, Murphy, Toler, Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 233-79

ELLIE CORNFELD

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ellie Cornfeld against the City and County of San Francisco in the sum of \$593.23 as the result a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: January 11, 1979

AYES: Commissioners Ciani, Murphy, Toler, Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 234-79

WILLIS J. THOMAS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Willis J. Thomas against the City and County of San Francisco in the sum of \$529.89 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: October 1, 1978

AYES: Commissioners Ciani, Murphy, Toler, Siggins

NOT VOTING: Commissioner Sanchez



RESOLUTION NO. 235-79

MICHAEL L. CONNER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Michael L. Conner against the City and County of San Francisco in the sum of \$471.26 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: March 13, 1978

AYES: Commissioners Ciani, Murphy, Toler,  
Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 236-79

LIM CHUM CHAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lim Chum Chan against the City and County of San Francisco in the sum of \$248.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 20, 1978

AYES: Commissioners Ciani, Murphy, Toler,  
Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 237-79

CALIFORNIA STATE AUTOMOBILE  
ASSOCIATION (THELMA SMITH)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the California State Automobile Association (Thelma Smith)





against the City and County of San Francisco in the sum of \$258.98 as the result of a collision with a police vehicle be, and the same is hereby approved.

Date of Accident: October 11, 1978

AYES: Commissioners Ciani, Murphy, Toler,  
Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 238-79

UNITED SERVICES AUTOMOBILE  
ASSOCIATION (CAPT. HORACE CONERLY)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the United Services Automobile Association (Capt. Horace Conerly) against the City and County of San Francisco in the sum of \$172.46 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: November 22, 1978

AYES: Commissioners Ciani, Murphy, Toler,  
Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 239-79

ELIZABETH COLPOYS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Elizabeth Colpoys against the City and County of San Francisco in the sum of \$42.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 7, 1978

AYES: Commissioners Ciani, Murphy, Toler,  
Siggins

NOT VOTING: Commissioner Sanchez



RESOLUTION NO. 240-79

GREGG JEONG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Gregg Jeong against the City and County of San Francisco in the sum of \$25.50 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: November 8, 1978

AYES: Commissioners Ciani, Murphy, Toler,  
Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 241-79

AUTHORIZING ATTENDANCE OF DR. MIMI H. SILBERT, DEPARTMENT TRAINING CONSULTANT, LIEUTENANT RICHARD D. KLAPP, AND SERGEANT MICHAEL S. HEBEL, PERSONNEL AND TRAINING, AT THE P.O.S.T. BASIC COURSE SUBJECT MATTER ADVISORY BOARD WORKSHOP AT LOS ANGELES, CALIFORNIA, FROM APRIL 23, 1979 TO APRIL 24, 1979, INCLUSIVE.

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RESOLVED, that the recommendation of the Chief of Police that Dr. Mimi H. Silbert, Department Training Consultant, Lieutenant Richard D. Klapp, and Sergeant Michael S. Hebel, Personnel and Training, be detailed to attend the P.O.S.T. Basic Course Subject Matter Advisory Board Workshop at Los Angeles, California, from April 23, 1979 to April 24, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Dr. Mimi H. Silbert, Department Training Consultant, Lieutenant Richard D. Klapp and Sergeant Michael S. Hebel, Personnel and Training, in a sum not to exceed \$120.00 each, will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Toler,  
Siggins

NOT VOTING: Commissioner Sanchez



The members of the Commission, having received and returned amended copies of the minutes of the meetings of February 7, 1979, February 14, 1979, February 21, 1979, February 28, 1979 and March 7, 1979, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Murphy, Toler, Siggins

NOT VOTING: Commissioner Sanchez

#### CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "The Commission asked previously for a report from Staff regarding taxi cab regulations and Public Convenience and Necessity matters regarding Taxicabs. If it is your pleasure, Deputy Chief DeAmicis will speak to that."

Deputy Chief DeAmicis: "Regarding the status of the Convenience and Necessity Hearings, since the ordinance was passed, our department has received 330 written statements from people who desire the issuance of new Vehicle for Hire Permits. The applicants were all informed that there would be public hearings. On March 16th, notices and forms were mailed to the 330 applicants and 231 of them responded positively. Now that the notice has been published in the newspaper 3 consecutive times it is now, according to our sheet, that you should be having Convenience and Necessity Hearings and Mr. Byrne is here this evening in order to schedule that."

Robert Byrne: "I am going to suggest to the Commission that a single hearing be scheduled for everyone that has applied for a Taxi Cab Permit. That's 228 out of the total 231 applications, and the 6th floor auditorium will be available for that purpose. I anticipate that it would not be possible to complete the hearing in one night, it would probably have to be continued from night to night, and almost everyone of these persons that has applied has indicated a desire to speak and testify on this issue, so I think it is going to take quite awhile and I suggest that we schedule it for somewhere around two weeks from now for the first night and let's see how it goes."

The Commission then decided that Monday, May 14th, would be an appropriate date to commence the hearings.





Deputy Chief DeAmicis then continued the discussion by asking the results of the matter of taxi cab regulations, in order to insure the public prompt service and honest service, late last year the staff prepared some draft regulations and these regulations were made available to taxi drivers and taxi companies. He stated that on the 12th of February letters were mailed to every permit holder telling them that there would be a meeting here in this room 30 days hence, and there was a meeting held here on March 12th, where 125 people came to the hearing and 30 people presented testimony.

He said at the Commission's request, some 50 people who had filed complaints against cab drivers were also sent letters and afforded the opportunity to speak but none of them showed. He said that after the hearing there was another meeting with representatives from the cab industry and they, at that meeting, complained that they did not have sufficient input into the regulations and so now there is one meeting scheduled late this month with members of the cab industry and we will go over the regulations with them to see what they would like changed, if anything at all, and what they would want added. He continued by saying that one of the bones of contention were the Controller's regulations, and originally the Controller had asked the Department to incorporate, or to be the agency, that would take a lot of financial reporting each year. The Deputy stated that those regulations have been amended and that as it stands now the Controller gets most of that financial information that he needs in order to set his rates each year. He stated that that same Lobby that is meeting with Staff has met with the Controller and is asking the Controller to make some modification on the reporting that he has asked from them. He said the Commission may have heard something in regard to a recent challenge to Proposition K and a Federal Judge's ruling which reverted the drivers to employees rather than independents and Mr. Byrne has researched that.

Mr. Byrne then stated that there were two separate matters that are presently being litigated. Challenged shortly after the Proposition was enacted, was Section 4(b) which is the Section that states that present permit holders have to turn in their old permits and get new Proposition K permits. He said that was a challenge that has gone through the Court of Appeals where the section was upheld, however, Justice Bird of the Supreme Court has issued a stay barring enforcement of Section 4(b) of Proposition K to give the challengers an opportunity to appeal to the Supreme Court. He said so as of this moment Section 4(b) can not be enforced, but the rest of Proposition K is law and can be enforced. He said the Commission has also probably read in the paper recently about the Federal litigation that is rising out of the labor-management dispute between the Yellow Cab Co-op and a large group of drivers called Yellow Cab United. He said at the



present time Yellow Cab has been ordered to allow these drivers to go back to work, he said, however, that is not a direct concern to the Department or the Commission, but what is a concern, he stated, are these letters that the Department received complaining about the management of Yellow Cab Co-op and requesting an investigation be made. He said, basically, what gave rise to a communication from the Mayor stems from a meeting of the Fire Safety and Police Committee of the Board of Supervisors which he attended and wherein Supervisor Kopp alleged that there was improper management of the Yellow Cab Co-op and that the Police Commission was in some way in league with them to take advantage of this particular group of drivers of Yellow Cab United. Mr. Bryne stated that, basically, what happened is that the original Yellow Cab Company went bankrupt and in connection with the bankruptcy proceedings the Bankruptcy Judge ordered that their permits be transferred to this new entity, Yellow Cab Co-op and, of course, the laws dictated at that time that the Commission had to approve the transfer of those permits which, after two or three meetings, it did approve. He continued by saying that Supervisor Kopp says that the Commission by approving those transfers, the Commission was somehow again in league with the management of the Yellow Cab Co-op. He stated that the Supervisor also alleges that Yellow Cab Co-op has not been complying with the conditions placed upon the transfers by this Commission.

He continued by saying that he reviewed all of the minutes of those proceedings and the sole provision placed on those transfers by the Commission was that each driver have an insurance policy, and that he had checked on each and every one of those permits and they are covered by an insurance policy. He stated that he really did not know what Supervisor Kopp had in mind when he was talking about not complying with the conditions the Commission put on the transfers.

Commissioner Siggins then stated that the Commission had worked with Supervisor Kopp in advising him of a lot of things that were going on with the Yellow Cab problems and he was kept informed on things a lot more than he ever told the press. The Commissioner stated that the Supervisor knew that there were certain things the Commission could do as far as transferring the permits and things that the Commission could not do. He stated that the Commission advised him on the law in that regard but the Supervisor was portraying to the public a different view point.





PROPOSED CHANGE IN RULES AND PROCEDURES AMENDING RULE 2.38 - PERSONAL GROOMING. (COPIES SENT TO EMPLOYEE ORGANIZATIONS) - CONTINUED FROM THE MEETING OF MARCH 28, 1979. AND

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PETITION REQUESTING RETENTION IN RULE 2.38 - PERSONAL GROOMING.

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Commissioner Ciani: "Is this an Ad Hoc Committee or is this a standing committee of some group?"

Chief Gain: "No, this is a Committee that was formed in regard to our hair grooming regulations. There is a Chairman and two Co-Chairmen whose names are identified. The Chairman, Officer Shafer, is here tonight along with, as I understand it, Lieutenant Epting to speak to this issue."

Commissioner Ciani: "This is not a Committee of the POA or any other organization then?"

Chief Gain: "It is an Ad Hoc Committee who are concerned about the proposed change on ~~the~~ hair grooming regulations and they have obtained 645 signatures from sworn members who have petitioned the Commission to retain the present rule."

Commissioner Toler: "Chief, was this committee formed after Officer Schlink presented his case?"

Chief Gain: "Yes. I understand it was, they are here to speak for themselves, but I understand that is what occurred. I understand that there was some consternation that the Commission would approve the concept of permitting facial hair and going on that consternation arose the Ad Hoc Committee."

Commissioner Siggins: "Well, the proposal that Officer Schlink was making was well advertised in one of the Police Magazines or Newspapers and the hearing was a public hearing that was held March 28, and the Department was here and didn't take a stand on it. So we, actually, I know the Commission voted at that time without really the help of the views of the Department other than the fact that there was representation by Officer Schlink that there were 125 members of the Department that were in favor of changing the grooming rules."

Chief Gain: "Well at that time, if I might state Mr. President, I think I spoke quite emphatically against it. I think my views are felt by at least 645 other members of the San Francisco Police Department. As you know when I submitted the rule. I voiced my disapproval. And it's also interesting,





I understand that 24 of the 120 officers who signed the 2nd petition indicating that 24 members, for whatever reasons, want the present rules to be retained. If the Commission is so inclined it can listen to Officer Schlink, he has now the rule he said he would promulgate, based upon our last meeting and also listen to Officer Shafer and appropriate numbers of other officers who are now petitioning the Commission to retain the personal grooming rules."

Commissioner Siggins: "May I have the petition? This is a petition with 645 signatures. Just for continuity, you have seen this of course, Officer Schlink?"

Officer Schlink: "No, I haven't."

Commissioner Ciani: "Well, I would be willing to make a motion that we reconsider the issue so that we can hear the Officers representing the Committee to preserve the police image."

Commissioner Murphy: "Would we need a motion to reconsider it?"

Commissioner Siggins: "Yes, I think that's true, we would need a motion in that regard. On the calendar tonight is a question of the wording of a proposal by Officer Schlink that was to be considered and put into effect, the Commission's vote of March 28, if there is a motion to reconsider that then we can open it up to the floor as far as the other petition is concerned."

Commissioner Toler: "Is there a motion on the floor?"

Commissioner Siggins(to Commissioner Ciani): "Do you want to make such a motion?"

Commissioner Ciani: "I made such a motion."

Commissioner Toler: "I would second the motion because I want to hear why the 24 officers signed both petitions."

Commissioner Murphy: "I think that we could just be assured that 600 officers aren't going to grow beards."



Commissioner Siggins: "Okay, question on the motion to reconsider? All in favor?"

AYES: Commissioners Ciani, Toler, Siggins

NAYS: Commissioner Murphy

NOT VOTING: Commissioner Sanchez

Commissioner Siggins: "Okay, 3 to 1 the motion carries. Now I point out to the Commission and to the audience that a petition signed by 645 officers states; 'On March 28, 1979, the Police Commission voted to allow the wearing of beards by the Uniform Force. This action was a direct result of a petition that was recently circulated throughout the Department. That petition was signed by 127 members, this represents only 7.5% of the Department's sworn personnel. We, the members of the Committee to preserve the police image, have conducted an informal survey that reveals that the majority of sworn members are vehemently opposed to those amended grooming standards. To document the overall resistance to this action we submit these petitions. Our personal pride in ourselves and our profession is something we must preserve. We petition that the present grooming standards as set in Section 2.38 of the Rules and Regulations be retained.' I might make a comment on that, I think it was decided by all, the Commission and the Department would have to agree, that the grooming standards would have to be amended in some way to cover the female officers. That we do have that collar problem. But I do think we understand the gist of the petition, of course, and does Officer Shafer want to speak to this petition?"

Officer Ray Shafer then addressed the Commission stating his reasons for requesting the retention of the current personal grooming standards.

After listening to Officer Shafer's presentation, Commissioner Murphy asked if he thought that the fact that the Chief of Police was the first to sign the petition had any influence on the 640 odd persons.

Officer Shafer responded by saying that it might have been so stated in the newspapers that he was the first to sign but, actually, he was one of the last to sign as the petitions were handed out individually. He stated it would have been impractical for them to hand carry one petition in an attempt to get a great number of signatures. He said they had about 300 or 400 names before the Chief signed it.





Commissioner Ciani stated to Officer Shafer that the Commission tried at the last hearing to ferret out all of the relevant views and that it was regrettable that he did not come then at the time when this issue did not seem to be one of great moment. All of the evidence the Commission heard was persuasive and one-sided. She stated that now he was bringing up something that she was sympathetic toward, and that is the esprit de corp and the self-esteem of the police officer, but it's too bad that it wasn't brought up before so it wouldn't be necessary to go through it all again. Officer Shafer stated that he understood that, that he and his Committee were negligent but when he saw it in the paper the next day he couldn't believe it and that is when he called the other members and organized this petition.

Lieutenant Edward Epting was then given permission to address the Commission and he also spoke against the proposal. He stated that the reason he had not come earlier is that he had been on vacation and did not know about it. He stated that a majority of the officers figured that the petition was so ludicrous that the Commission would just laugh it off.

Officer Theodore Schlink then spoke for his proposal saying that it was still his contention that personal grooming should be a matter of personal preference. During Officer Schlink's testimony Chief Gain again re-iterated his position of vehemently opposing Officer Schlink's proposal.

Commissioner Murphy said there are three problems, one is that with some black men because their beards grow back into their skin causing infections. She said another reason to grow a beard would possibly be to camouflage a receding chin and in those cases a beard is very helpful.

She also felt that there is a third reason and that is that it makes a man look older and when you have a very young police officer who desires to look more mature then he could avail himself of this privilege. She stated that she did think that those three reasons could be very important to a person as an individual. She continued by saying she believed the previous comment regarding a person's individuality being wrecked is directly opposite of that. She said a person expresses their individuality by the way they wear their hair, sideburns, facial hair, mustache or no mustache. She said she did not think it would reduce the individuality of the officer. She said she thought the two most important things in personal grooming, shaven or unshaven, is neatness and cleanliness.





Commissioner Ciani then made a motion to rescind the action taken on March 28, 1979, and gave her reasons thusly: "I understand from the Chief that it is not unlawful for us to have grooming standards. At the time of the initial consideration I tried to illicit any negative comments about the safety factors and no one presented any negative comment. At the time it seemed appropriate to go along with the petition since no one objected very strenuously. It appears that since there is no unlawfulness involved and there doesn't seem to be any significant safety factor involved that it really boils down to a matter of subjective judgment. Some of the officers feel that it would enhance the performance of their duties and image with the Community and some feel that it would be a negative factor. So, it's extremely difficult for us to sit here, weigh these subjective judgments and determine whose subjective judgment we are going to give the most weight to, but I think that if the number of officers who signed this petition is any indication, that it's best to just end this matter by leaving the standards as they are. That is my motion."

Commissioner Siggins then asked for a second to the motion. As there was no second, further discussion was held on the matter after which a member of the audience, a private citizen, requested permission to speak on the matter and stated that as a private citizen he thought it would be pretty neat for police officers if they desired, to wear beards, however, he stated that he was more interested in professionalism than he was in beards. He said he felt it would be a good issue for the ballot in November, and said he would sure sign in favor of the officers being allowed to wear beards.

Commissioner Siggins, at this time, then called again for a second to Commissioner Ciani's motion, after which Commissioner Toler stated that he had concerns in that he wanted to give the same opportunity to Officer Schlink as Officer Shafer had to have this formally done through the department. Commissioner Siggins said the petition of Officer Schlink was well publicized throughout the department, the petition to change the grooming standards was distributed to the three Employee Organizations within the department and there was a public hearing which was set for and held on March 28th.

Commissioner Toler then asked Officer Schlink if that was correct?

Officer Schlink stated that all he was looking for was ten signatures in the first place because it only takes 10 signatures to appear before the Commission. He stated that if he had known it was going to be a popularity contest he would have solicited more workers to go out there and solicit the votes. He continued by saying that he does not choose to go out there and make it a popularity contest.



Commissioner Siggins then again called for a second to the motion.

Commissioner Toler then seconded the motion.

Commissioner Siggins then asked for further discussion of which there was none. He then called for the question to which there were none.

In response to his question as to all in favor, the vote went as follows:

AYES: Commissioners Ciani, Toler, Siggins

NAYS: Commissioner Murphy

Commissioner Siggins then stated that the motion passes 3 to 1 and that the present grooming standards, as stated in Section 2.38 of the Rules and Procedures of the San Francisco Police Department, still apply. He stated that it appears to him, however, that work is still needed to be done on those standards insofar as females in the department are concerned.

Chief Gain then stated that the Department will be submitting some proposed rule changes in regard to the present rules as far as the females and their grooming standards.

Commissioner Siggins then stated to Officer Schlink that he had properly used the rules within the Department where with the signature of 10 or more members you can come before this Commission with a proposal to change rules and that he wanted to compliment him as he had done on March 28, 1979, for the manner in which he presented the issue to the Commission.

Chief Gain also stated that Officer Schlink did what he thought should be done, that he had certainly done it in an appropriate way, with great interest for his cause. The Chief stated: "I have enjoyed, in fact, working with him on the project."

RESOLUTION NO. 242-79

REQUEST FOR A LEAVE OF ABSENCE WITHOUT PAY-APPROVED

RESOLVED, that the request of Patrol





Special Officer Dan Morris, Mission Police District, for permission to take a Leave of Absence Without Pay from Wednesday, April 11, 1979 to May 11, 1979, inclusive, to accept a position as an Oregon Police Officer, be, and the same is hereby approved.

AYES: Commissioners Ciani, Murphy, Toler,  
Siggins

NOT VOTING: Commissioner Sanchez

HEARING OF GRIEVANCE 71-78 FILED BY POLICE  
OFFICER BRUCE F. MAROVICH.

The hearing of the Grievance of Police Officer Bruce F. Marovich, Crimes Specific Task Force, was called, it having been continued from the meetings of February 14, 1979 and March 21, 1979.

Sergeant Michael Hebel, Attorney for Officer Bruce F. Marovich, stated that the Commission had continued the hearing from the meeting of the 14th of February for the purpose of receiving testimony from Dr. Gilbert Kucera and at the conclusion of the doctor's testimony he would like to make a closing statement.

Mr. Lawrence Wilson, Legal Officer, appearing on behalf of the Police Department stated that the Department would have a rebuttal witness.

The following-named person was called by the Grievant's attorney, sworn and testified:

Dr. Norman H. Steiner  
Police Surgeon

The following Exhibit was entered into Evidence by the Department:

Exhibit 1. - Letter from Dr. Gilbert J. Kucera, to the City Retirement System, attention Mr. Joseph Unamun, Dated April 5, 1977, Re: Bruce Marovich.

A closing statement was then made by





Sergeant Michael Hebel.

The Commission took the matter under submission after which the following resolution was adopted:

RESOLUTION NO. 243-79

DECISION - HEARING OF GRIEVANCE 71-78 FILED BY  
POLICE OFFICER BRUCE F. MAROVICH.

WHEREAS, on Tuesday, August 29, 1978, Police Officer Bruce F. Marovich, Crimes Specific Task Force, made and filed Grievance 71-78 as follows:

"On May 15, 1975, Officer Bruce Marovich was assigned to the Solo Motorcycles, having been on the list for 7 and 1/2 years. On July 1, 1976, due to a reduction of Solos, he was transferred to the Crime Specific Task Force.

On August 28, 1978, Sergeant William Grosword, Personnel Sergeant, informed Officer Marovich that he was to be returned to the Solos, per his request, and directed him to be examined by the Department's Surgeon, Dr. Norman Steiner, M.D.

On August 29th he was examined by Dr. Steiner who stated that he would not certify Officer Marovich for the Solos on the basis of a back condition.

Officer Marovich's suggested remedy to his Grievance is immediate assignment to the Solos."

and

WHEREAS, a hearing on said Grievance was had before the Police Commission in accordance with the Grievance Procedure detailed in the Memorandum of Understanding on Wednesday, February 14, 1979, and Wednesday, April 11, 1979, and on Wednesday, April 11, 1979, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that Grievance 71-78 made and filed by Police Officer Bruce F. Marovich, Crimes Specific Task Force, is not sustained by the evidence presented at the hearings; therefore be it



RESOLVED, that it is the order of the Police Commission that Grievance 71-78, made and filed by Police Officer Bruce F. Marovich, Crimes Specific Task Force, is not sustained by the evidence presented at the hearing; and be it further

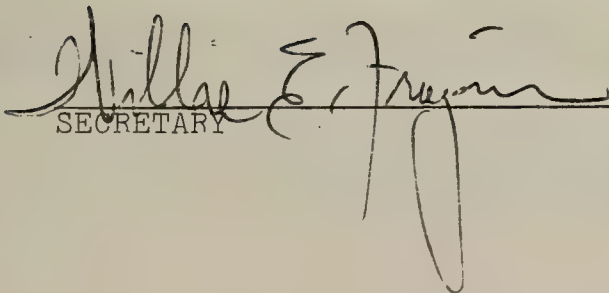
RESOLVED, that it is the order of the Police Commission that Police Officer Bruce F. Marovich's suggested remedy to Grievance 71-78, "Immediate assignment to the Solos," be, and the same, hereby denied.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

The Commission then adjourned its meeting at 2045 hours.

  
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SECRETARY



18 APRIL 1979

REGULAR MEETING

The ~~Police~~ Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, April 18, 1979 at 1730 hours, in regular session.

PRESENT: Commissioners Ciani, Murphy, Sanchez, Toler

ABSENT: Commissioner Siggins

JUN 12 1979

Commissioner Murphy presiding.

DOCUMENTS DEPT.  
S.F. PUBLIC LIBRARY

RECOMMENDATIONS OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendations of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

APPROXIMATELY 255 VERMONT STREET - PACIFIC LITHO CO.

- a) At approximately 255 Vermont Street, install a 44' yellow zone, extending from 74' to 118' north of south property line.

APPROXIMATELY 265 VERMONT STREET - PACIFIC LITHO CO.

- a) At approximately 265 Vermont Street, install a 16' yellow zone, extending from 41' to 57' north of south property line.

1030 VAN NESS AVENUE - BUDGET RENT A CAR -  
CONTINUED FOR ONE (1) WEEK

45 JESSIE STREET - GOLDEN GATE COLLEGE

- a) At 45 Jessie Street, revoke existing 27' yellow zone, extending 27' west of Ecker.
- b) At 45 Jessie Street, revoke existing 70' yellow zone, extending from 45' to 115' west of Ecker.





1913 HYDE STREET - S.F.P.D.

- a) At 1913 Hyde Street, revoke existing 18' yellow zone, extending from 27' to 45' north of Green Street.

AYES: Commissioners Ciani, Sanchez, Toler,  
Murphy

NOT VOTING: Commissioner Siggins

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 115 feet of yellow zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Sanchez, Toler,  
Murphy

NOT VOTING: Commissioner Siggins

RESOLUTION NO. 247-79

CIPRIANO CORDOVA AND HIS ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Cipriano Cordova and his attorney in the sum of \$2,500.00 in Superior Court Action No. 672-950 entitled "Cipriano Cordova and his attorney vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 2, 1973

AYES: Commissioners Ciani, Sanchez, Toler,  
Murphy

NOT VOTING: Commissioner Siggins



RESOLUTION NO. 248-79

ETHEL MICKENBERG AND HER ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Ethel Mickenberg and her attorney in the sum of \$750.00 in Municipal Court Action No. 771-008 entitled "Ethel Mickenberg and her attorney vs. City and County of San Francisco, et al.," as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: June 27, 1978

AYES: Commissioners Ciani, Sanchez, Toler,  
Murphy

NOT VOTING: Commissioner Siggins

RESOLUTION NO. 249-79

CIVIL SERVICE EMPLOYEES INS. CO.  
(BLAHOS, EUGENE)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Civil Service Employees Insurance Co., (blahos, Eugene) against the City and County of San Francisco in the sum of \$689.95 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: June 29, 1978

AYES: Commissioners Ciani, Sanchez, Toler,  
Murphy

NOT VOTING: Commissioner Siggins

RESOLUTION NO. 250-79

ISIDRE G. ANTINIW

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Isidre G. Antiniw against the City and County



of San Francisco in the sum of \$15.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 16, 1978

AYES: Commissioners Ciani, Sanchez, Toler,  
Murphy

NOT VOTING: Commissioner Siggins

RESOLUTION NO. 244-79

AMENDING RESOLUTION NO. 47-79 ( BY ADDING AN ADDITIONAL 4 (FOUR) SERGEANTS TO MANDATED TRAINING COURSE.)

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AUTHORIZING ATTENDANCE OF 74 (SEVENTY FOUR) SERGEANTS AT A MANDATED TRAINING COURSE AT CITY COLLEGE IN SAN FRANCISCO, CALIFORNIA, FROM FEBRUARY 19, 1978 TO MARCH 2, 1979, MARCH 19, 1979 TO MARCH 30, 1979, AND APRIL 30, 1979 TO MAY 11, 1979, INCLUSIVE.

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RESOLVED, that the recommendation of the Chief of Police that 74 (seventy four) Sergeants be detailed to attend a Mandated Training kourse at City College in San Francisco, California, from February 19, 1979 to March 2, 1979, March 19, 1979 to March 30, 1979, and April 30, 1979 to May 11, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by 74 (seventy four) Sergeants in a sum not to exceed \$22,455.00 will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Sanchez, Toler,  
Murphy

NOT VOTING: Commissioner Siggins

RESOLUTION NO. 251-79

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-





indicated program, be, and the same are hereby approved:

Lieutenant John J. Jordan)	\$30.00	(At the California
Inspector Michael Byrne )		(Homicide Investi-
Inspector Michael Mullane)		(gator's Association
Homicide Section )		(Annual Conference
		(in Monterey, Cal-
		(ifornia, from March
		(1, 1979 to March 2,
		(1979, inclusive.

AYES: Commissioners Ciani, Sanchez, Toler,  
Murphy

NOT VOTING: Commissioner Siggins

The members of the Commission, having received, amended and returned copies of the minutes of the meetings of March 14, 1979 and March 19, 1979, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Sanchez, Toler,  
Murphy

NOT VOTING: Commissioner Siggins

#### CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "Yes, Commissioners, if I might comment, there is an article in a local paper relative to reported criticism by the District Attorney in regard to a police investigation. And the fact of the matter is that in regard to an investigation into an establishment known as Peg's Place, the Police Department conducted two investigations. One investigation was an Administrative investigation conducted by Internal Affairs Division, which was



a thorough, objective, good investigative job, I got that report yesterday. The other investigation was a criminal investigation conducted by the Investigations Bureau to determine whether there was a basis for criminal charges against one or more officers involved in that incident at Peg's Place while off duty. And the District Attorney had told me, and he later told it to the news media, that he felt the criminal investigation which was conducted and submitted to his staff last week was not an adequate investigation and that he had to, therefore, assign his investigators to conduct a thorough investigation to determine if there is any criminal implications. So, the newspaper report which stated, said that he stated, that he was not pleased or happy with the investigation, referred to the criminal investigation by the police department, not the Internal Affairs Investigation."

Commissioner Murphy: "What was the subject of that Internal Affairs Investigation, Chief?"

Chief Gain: "Well, the Internal Affairs Investigation in regard to that incident was, one: to determine whether acts alleged to have occurred by individuals in Peg's Place did, in fact, occur, and I got the report yesterday, reviewed it, and concluded that improper police conduct did occur by two officers. In regard to one officer it was a matter of conclusion that he violated several conduct rules as regards to use of force, truthfulness, and other matters, and I will be charging him before the Police Commission alleging that he violated several conduct rules. So there will be a Police Commission Hearing in regard to one officer. In regard to the other, the Internal Affairs conclusion is that it amounted to a breach of the peace under our conduct rules. No other violations. I am exploring that further and if it's appropriate, then I will have a Hearing in my office to entertain and consider whether he should be given a Chief's suspension. So, in a word then, as far as the incident in Peg's Place, we did conduct a thorough, objective investigation and we came to a finding that there was police misconduct, and we will be taking appropriate action as far as charges are concerned. If you have any questions, I will be happy to answer them."

Commissioner Ciani: "Well, don't we ordinarily defer those when there are criminal charges pending? Will they be against the same individuals?"

Chief Gain: "Well, that's going to be up to the Police Commission as to whether it defers. Our





position is that Administrative Charges are separate from the criminal charges and notwithstanding of what happens with the criminal charges we still have a valid basis for pursuing Administrative Charges. Now what has happened heretofore, is that when there are criminal charges pending against an officer, in this case it's two counts of battery and one count of disturbing the peace, that the attorney representing the officer has requested the Police Commission defer the Hearing and they waive their time until the adjudication of the criminal charges. I believe strongly that the Hearing by the Police Commission should take place as expeditiously as can be done and that the Commission should re-entertain deferring the Police Commission Hearing until the criminal charges are adjudicated. There is no reason, in my judgment, as far as the Administrative Charges to keep deferring it, which could be three to six months, but that will be up to the Commission at the appropriate time to make that decision."

Commissioner Murphy: "When do you think it will come to the Commission?"

Chief Gain: "You will have it in your agenda material on Friday, and it will be calendared for next week. That is notice that charges have been filed. I might add, also, that I entertained suspending the one officer who did apply force in violation of our conduct rules, however, in exploring whether to suspend that officer or to assign him to an office position inside the building until the Hearing, I concluded and conferred with the City Attorney's Office and found I do not have authority, based upon the circumstances in which the officer was involved, to suspend him pending a Police Commission Hearing as I have done in regard to other officers based upon different circumstances, therefore, I don't have the authority to suspend pending a hearing. But I do have the authority to have him work within an office, within this building, outside of public contact until the hearing and that is the course of action I am taking."

REQUESTING APPROVAL OF PROPOSED GENERAL ORDER  
ESTABLISHING (CODE 3) DRIVING REGULATIONS AND  
PROCEDURES. (CONTINUED FROM MARCH 14, 1979) -  
CONTINUED FOR THREE (3) WEEKS.

Chief Gain: "Well, I request that be deferred for three (3) weeks and we will have met then with the Police Officers Association to resolve that, hopefully, on a staff level."





Commissioner Murphy: "There has been no input from any of the Associations so far as to comments on this driving regulation?"

Chief Gain: "Well, what has happened is this that since Bob Barry has been elected President, we have met and there is a mutual commitment to Meet and Confer on a Staff level to resolve those matters, but it's simply a matter that time has not permitted for us to get together, both on the part of POA and on my part. We have been snowed under, and on a priority basis I have had to defer that."

REQUEST OF PUBLIC DEFENDER JEFF BROWN FOR A PUBLIC HEARING ON POLICE POLICY CONCERNING POLICE CODE SECTIONS 20a, 20b AND VEHICLE CODE SECTION 12951.- (CONTINUED FROM APRIL 4, 1979) - CONTINUED FOR TWO (2) WEEKS.

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Public Defender Jeff Brown: "Good evening. I really don't know what to say at this point except to say I would really like to see the promulgation of the police policy that we talked about two weeks ago and I haven't had the opportunity to review it. As I understand it we left this with the understanding that the police and the District Attorney's Office would work out a policy with respect to arrest, with respect to citation, with respect to charging. And we were to allow ample time for this to develop and then to analyze it. Perhaps the Chief?"

Chief Gain: "I can respond. We discussed this two weeks ago as I recall when Mr. Brown was here as stated and we followed through on developing a policy statement. Now what has occurred is this, on April 11th, last Wednesday, one week after Mr. Brown was here, we had a meeting with all of the Captains and set forth, through the Captains as reflected through the minutes which you may have received, that as in regards to enforcement of Sections 20a and 20b of the Municipal Police Code, enforcement action must start with a warning move to citations for repeat offenders and then to physical arrest for violators who again violate the sections within 24 hours after receiving a citation. We chose this course of action, first meeting with the Captains, and we had an in-depth discussion about it, and now, by this week or next, then we will issue the policy statement in writing. These minutes have already gone to all district stations. All Captains have fulfilled their responsibility to inform police officers so we are acting out the policy that we said we would. Now it's a matter of getting it in writing and publishing it in the form of an Information Bulletin."

Public Defender Jeff Brown: "Could I ask then that this matter stand over two weeks? I have to really



review the effect of what is the informal policy. At this point I haven't had an opportunity to do that, I have had other fish to fry with the budget coming up and certain other things happening in my office."

Commissioner Ciani: "Will you be ready in two weeks?"

Chief Gain: "That isn't the problem now, I think what Mr. Brown wants to see is the effect of the implementation of the policy."

Public Defender Jeff Brown: "Yes, and also to review the written policy itself."

Commissioner Murphy: "Okay, we will set this over for two weeks from today."

AMENDING CHAPTER VIII, SAN FRANCISCO MUNICIPAL  
POLICE CODE, BY ADDING SECTION 266.1 THERETO,  
RELATING TO THE ISSUANCE OF PERMITS FOR ATHLETIC  
EVENTS CONDUCTED ON PUBLIC STREETS.

Chief Gain stated that the essence of this legislation is that the Department is requesting the Police Commission adopt by Resolution, an ordinance to be forwarded to the City Attorney and then to the Board of Supervisors which would enact an ordinance permitting the Police Department to charge fees for athletic events, and the specific athletic events of concern are races and marathons. He continued by saying the reasons are that there are more and more marathons and jogging events taking place in the city. He said what is happening is when these events occur, the Department has to assign substantial numbers of officers. He said, for an example, they used for one race 130 officers from various units of the Police Department, and from the standpoint of utilization of police personnel when these things occur, it is necessary to assign officers from the CSTF, district stations and other units depriving the general citizenry of needed police services. He said it also cost a considerable amount of money. As for example, he stated, about \$18,000 dollars for one race that took place. He stated that the department's feeling is that the person's sponsoring these events should pay for the police services."

Commissioner Ciani stated that she felt the draft of this proposed ordinance needed further study and she was also concerned about the way and the





amount of money to be deposited. After further discussion the Chief suggested forwarding the draft of the proposed ordinance and Commission Resolution to the City Attorney With a letter stating some of the concerns the Commission may have about the present draft.

Commissioner Ciani volunteered to assist in drafting the letter.

The Commission, upon Commissioner Murphy's motion, adopted the following resolution.

RESOLUTION NO. 253-79

AMENDING CHAPTER VIII, SAN FRANCISCO MUNICIPAL POLICE CODE, BY ADDING SECTION 266.1 THERETO, RELATING TO THE ISSUANCE OF PERMITS FOR ATHLETIC EVENTS CONDUCTED ON PUBLIC STREETS.

WHEREAS, there has been an increase in the number of athletic events using the public streets of the City and County of San Francisco; and

WHEREAS, the Police Department is responsible for insuring the safety of all persons using the public streets of San Francisco; and

WHEREAS, in order to control the number of athletic events utilizing public streets so as to disrupt the general public to the least extent possible, and to provide for the policing costs involved, an ordinance is necessary to provide for permits to conduct such events; therefore be it

RESOLVED, that the Police Commission hereby requests the Board of Supervisors to adopt the attached proposed ordinance allowing the Chief of Police to issue permits for the conduct of athletic events which use the public streets of the City and County of San Francisco for the additional police services required thereby."

AYES: Commissioners Ciani, Sanchez, Toler, Murphy

NOT VOTING: Commissioner Siggins

CONSIDERATION OF TERMINATION OF TEMPORARY EMPLOYEES

Chief Gain stated that last year when the Police





Department began hiring police persons under certain Federal Funding such as Community Development Funds and others instead of Ad Valorem Funds, those employees were, therefore, designated as Temporary Employees. He stated that in regard to eight of those employees, he had hearings, based upon recommendations from the Academy and Field Training Officers Program that they be terminated. After those hearings, he stated, he terminated them. He continued by saying he then learned, while in the process of terminating another such employee, that in regards to temporary employees, as with deputy chiefs who are appointed by the appointing officers, it requires approval by the Police Commission. He said, therefore, the Department's action in terminating these employees without approval of the Police Commission, although unintentional, were improper.

He said, therefore, the matter was brought before the Commission tonight and he would recommend that each Temporary Employee who has been terminated be informed of the fact of improper termination and then asked whether they desired to contest the termination through Police Commission action. He said in that regard, on April 16, 1979, the Legal Office has written a letter to each of those eight persons and asked them to respond within ten days stating the problem and whether they desired to contest it. He stated that if they respond in the affirmative then the Police Commission should first request each such person to submit written reasons why the Commission should not approve the termination which has taken place. He said once this is done the Commission would have his (the Chief's) reasons and the terminated person's reasons with which to make a determination as to whether it wants to give any or all those persons an opportunity to appear before the Commission for the purpose of oral presentation.

Mr. Edward J. Nevin, attorney for two of the terminated employees, Peter J. Whitcomb and Armando Cordoba, asked that on behalf of his two clients that they be given due process as suggested by the Chief and that they have an opportunity to review the decision made by the Chief at the Chief's Skelly Hearings.

Police Officer Jack Ballentine was given permission to speak on behalf of Officers James Mah and Vandy Phillips, and he stated that he would suggest that their terminations had not, in fact, taken place under the law. He stated this is why the issue had been raised and that the Commission should be giving some consideration as to re-instatement pending decision on this matter.



Officer Ballentine continued by stating that the Charter has not been complied with and that the Department is now on notice of it because of action by another officer. He stated that the POA represented several of these officers and that the POA is looking at this with an eye as to when the Commission would schedule a hearing and perhaps re-instatement pending the outcome of whatever process the Commission chooses.

Officer Paul Chignell stated that he represented Officer Nancy Fadhl through 12 hours of Skelly Hearings and that the Charter is clear on the fact that the Police Commission has to hear this and make a determination as to whether the officers job is to be taken away from him or her. He stated that it was the POA's position that the officers be re-instated immediately pending this legal process. He stated that the POA were the ones who brought this matter to light with Officer Quon, a temporary employee, when they sent a letter stating that they did not think it would be proper for him to be terminated when he had over a year in the police department. He said now 15 months has gone by and Officer Quon is still working as a police officer and the Administration is still attempting to terminate him. He stated that in regards to Officer Fadhl, she did not engage in any misconduct. He said he thought that the hearings before the Chief were fair, but that's not the issue tonight. He said it has to go before the Police Commission and that there are extenuating circumstances in Officer Fadhl's situation. He stated that he would urge the Commission to reinstate Officer Fadhl as soon as possible and calendar her matter in the same manner as is done for any officer who has to appear before this Commission when the Chief is seeking to terminate them.

After further discussion, Commissioner Ciani motioned that the Department's recommended procedure be accepted so that the Commission could review the file and materials and decide how extensive a hearing, if any, is merited by each particular case.

The motion was seconded and unanimously passed.

Commissioner Murphy then stated that she agreed with Commissioner Ciani and suggested that it would be very appropriate to urge Charter changes in this matter with all its ramifications, among others to the Charter Commission.

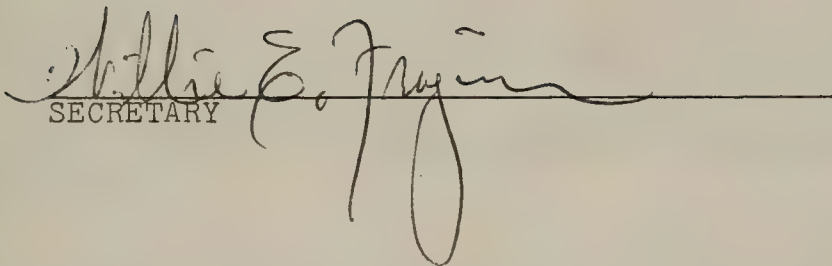
The following-named persons are parties to which the above stated motion applies:



Dennis Dougherty  
Peter Whitcomb  
Nancy Fadhl  
Valcour Eugene  
James Mah  
Donald Jones  
Armando Cordoba  
Vandy Phillips

The matter was then continued for one month at which time the Commission will decide as to what further action it will take in this regard.

The Commission then adjourned its meeting at 1900 hours.

  
SECRETARY





25 APRIL 1979

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, April 25, 1979 at 1730 hours in regular session.

PRESENT: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

Commissioner Siggins presiding.

JUN 18 1979

DOCUMENTS DEPT.  
C.A.B. 1101 1111

RECOMMENDATION OF THE AWARDS COMMITTEE

Commissioner Murphy: "It was a very interesting group. I would like to make some comments at the time they are here to receive the Awards. It is one of the times that we see the good side. We see the bad side so often when disciplinary matters are brought to our attention we forget that the largest proportion of our men on this force are not only hard working and decent and honest, but are very valorous, and I think it is good for us to have this opportunity. I move that the Commission accept the recommendation of the Awards Committee."

It was then unanimously approved and set for May 16, 1979 as the time for Presentation of the Awards to the below listed officers.

RESOLUTION NO. 263-79

RECOMMENDATION OF THE AWARDS COMMITTEE - APPROVED

RESOLVED, that the following-named members of the Police Department, be, and they are hereby granted Awards of Valor - Gold Medal, Silver Medal, and Bronze Medal, under the provisions of Section 5.119 and 5.131 of the Rules and Procedures of the San Francisco Police Department, as approved by the Awards Committee on Friday, April 20, 1979:

Sergeant Daniel J. Hallisy....Gold Medal of Valor

Inspector James J. Crowley....Silver Medal of Valor

Assistant Inspector Gregory

Corrales.....Silver Medal of Valor



Police Officer Anna A. Adams..Silver Medal of Valor  
Police Officer Kevin F.  
Callanan.....Silver Medal of Valor  
Police Officer William B.  
Darr.....Silver Medal of Valor  
Police Officer Edward B.  
Dullea.....Silver Medal of Valor  
Police Officer Alex E. Fagan..Silver Medal of Valor  
Police Officer Timothy A.  
Foley.....Silver Medal of Valor  
Police Officer John G.  
Fowlie...Silver Medal of Valor  
Police Officer Gabriel P.  
Harp.....Silver Medal of Valor  
Police Officer Jeffrey T.  
Levin...Silver Medal of Valor  
Police Officer Thomas A.  
Mandelke.Silver Medal of Valor  
Police Officer Raymond F.  
Mullane.....Silver Medal of Valor  
Police Officer Larry (nmi)  
Murdock...Silver Medal of Valor  
Police Officer Robert J.  
Puts.....Silver Medal of Valor  
Police Officer Thomas (nmi)  
Williams..Silver Medal of Valor  
Patrol Special Officer  
Raymond Adkins.....Silver Medal of Valor  
Patrol Special Officer  
Dan Morris.....Silver Medal of Valor  
Police Officer Bernice  
Alsobrook.....Bronze Medal of Valor  
Police Officer Michael J.  
Ambrose.....Bronze Medal of Valor  
Police Officer Gregory (nmi)  
Corrales.....Bronze Medal of Valor  
Police Officer Michael T.  
Dempsey.....Bronze Medal of Valor  
Police Officer David P.  
Herman.....Bronze Medal of Valor  
Police Officer Karl (nmi)  
Karlsson.....Bronze Medal of Valor



Police Officer Ross E.  
Laflin.....Bronze Medal of Valor

Police Officer Alvin (nmi)  
Lambert.....Bronze Medal of Valor

Police Officer Larry (nmi)  
Murdock.....Bronze Medal of Valor

Police Officer Gregory L.  
Ovanessian.....Bronze Medal of Valor

Police Officer Martin T.  
Sacco.....Bronze Medal of Valor

Police Officer Ross H.  
Spinner.....Bronze Medal of Valor

Police Officer Thomas P.  
Walsh.....Bronze Medal of Valor

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 264-79

REWARDS GRANTED TO MEMBERS OF THE POLICE DEPARTMENT

WHEREAS, the following-named members of the Police Department have been commended for courageous service under the provisions of Sections 5.119 and 5.131 of the Rules and Procedures of the San Francisco Police Department at a meeting of the Police Commission held on Wednesday, April 25, 1979; and

WHEREAS, Chief of Police Charles R. Gain has recommended to the Police Commission that the said members be rewarded under the Provisions of Section 8.405(c) of the Charter of the City and County of San Francisco; therefore be it

RESOLVED, that Sergeant Daniel J. Hallisy, be, and he is hereby awarded a Gold Medal of Valor and granted a reward of \$200.00 as provided for under said section of the Charter; and be it further

RESOLVED, that Inspector James J. Crowley, Assistant Inspector Gregory Corrales, and Police Officers Anna A. Adams, Kevin F. Callanan, William B. Darr, Edward B. Dullea, Alex E. Fagan, Timothy A. Foley, John G. Fowlie, Gabriel P. Harp, Jeffrey T. Levin, Thomas A. Mandelke, Raymond F. Mullane,





Larry (nmi) Murdock, Robert J. Puts, Thomas (nmi) Williams, and Patrol Special Officers Raymond Adkins and Dan Morris, be, and they are hereby awarded Silver Medals of Valor and granted a reward of \$100.00 each, as provided for under said section of the Charter; and be it further

RESOLVED, that Police Officers Bernice Alsóbrook, Michael J. Ambrose, Gregory (nmi) Corrales, Michael T. Dempsey, David P. Herman, Karl (nmi) Karlsson, Ross E. Laflin, Alvin (nmi) Lambert, Larry (nmi) Murdock, Gregory L. Ovanessian, Martin T. Sacco, Ross H. Spinner, and Thomas P. Walsh, be, and they are hereby awarded Bronze Medals of Valor and granted a reward of \$50.00 each as provided for under said section of the Charter.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

865 JACKSON STREET - PRESBYTERIAN CHINESE - DENIED  
CHURCH

- a) At 865 Jackson Street, install a 20' white zone, extending from 5' to 25' west of east proeerty line. DENIED.
- b) Remove meter 837. DENIED.

1609 PALOU STREET - D. SIMI

- a) At 1609 Palou Street, install a 22' yellow zone, extending from east property line 22' west of same.

610 BRANNAN STREET - INTERNATIONAL HARVESTER

- a) At 610 Brannan Street, install a 22' green zone, extending from 85' to 107' west of 5th Street.



610 BRANNAN STREET - INTERNATIONAL HARVESTER

- a) At 610 Brannan Street, install a 53' yellow zone, extending from 107' to 160' west of 5th Street.

816 MISSION STREET - GERTMENIAN ORIENTAL RUGS

- a) At 816 Mission Street, install a 22' yellow zone, extending from 6' west to 16' east of west building line.
- b) Meter #822 to be removed. (To be replaced after construction.)

134-7th STREET - JOE'S GROCERY - REVOKED

- a) At 134-7th Street, revoke existing 40' yellow zone, extending 40' south of Minna Street.

327 JESSIE STREET - S.F.P.D. - REVOKED

- a) At 327 Jessie Street, revoke existing 24' yellow zone, extending from 12' to 36' east of west building line.

337-339 JESSIE STREET - S.F.P.D. - REVOKED

- a) At 337-339 Jessie Street, revoke existing 35' yellow zone, extending 35' west from east property line.

1150 POWELL STREET - S.F.P.D. - REVOKED

- a) At 1150 Powell Street, revoke existing 40' white zone, extending from 3' to 43' north of south property line.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 139 feet of green and yellow zones, at the parts of the City,



at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RETIREMENTS

Communications were received from the Retirement Board officially notifying the Police Commission of the retirement of the following-named members of the Police Department:

- a) Police Officer Albert Miller, Traffic Bureau-Solos, for service, effective March 19, 1979.
- b) Inspector William F. Musante, Inspectors Bureau, for service, effective March 20, 1979.

The communications were ordered filed.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 254-79

FREDERICK J. CHAPMAN AND  
HIS ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Frederick J. Chapman and his attorney in the sum of \$800.00 in Superior Court Action No. 723-191 entitled "Frederick J. Chapman and his attorney vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 14, 1976

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 255-79

CALIFORNIA STATE AUTOMOBILE  
ASSOCIATION AND THEIR ATTORNEY





RESOLVED, that the recommendation of the City Attorney for settlement of litigation of the California State Automobile Association and their attorney in the sum of \$406.04 in Municipal Court Action No. 714-693 entitled, "California State Automobile Association and their attorney vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: April 16, 1974

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 256-79

MELVIN E. RILEY - DENIED

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Melvin E. Riley against the City and County of San Francisco in the sum of \$207.50 as the result of a faulty tow, be, and the same is hereby denied.

Date of Incident: November 16, 1978

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

TIMOTHY LIVERMORE AND SUSAN BLANFORD  
IN THE SUM OF \$80.00 - HELD OUT.

RESOLUTION NO. 257-79

CHARLESTON TUTT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Charleston Tutt against the City and County of San Francisco in the sum of \$52.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 6, 1978

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins



NEWELL H. HEYWOOD, JR., IN THE SUM OF \$23.50-  
HELD OUT

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RESOLUTION NO. 258-79

USHA N. PATEL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Usha N. Patel against the City and County of San Francisco in the sum of \$23.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 29, 1978

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 259-79

SAMUEL SMITH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Samuel Smith against the City and County of San Francisco in the sum of \$22.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 10, 1978

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 260-79

HARRY R. STARR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Harry R. Starr against the City and County of San Francisco in the sum of \$20.50 as the result



of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 5, 1978

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 261-79

JOHN WOODSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John Woodson against the City and County of San Francisco in the sum of \$20.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 5, 1978

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 262-79

ALI REZA DAGHIGHIAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ali Reza Daghighian against the City and County of San Francisco in the sum of \$20.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 9, 1978

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 265-79

AUTHORIZING ATTENDANCE OF SERGEANT VICTOR WODE,  
POLICE OFFICER DAVID ALEX AND POLICE OFFICER DIRK





BEIJEN, PERSONNEL AND TRAINING, AT THE FIREARMS INSTRUCTORS' UPDATE SEMINAR AT SANTA ROSA, CALIFORNIA, FROM MAY 3, 1979 TO MAY 4, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Sergeant Victor Wode, Police Officer David Alex and Police Officer Dirk Beijen, Personnel and Training, be detailed to attend the Firearms Instructors' Update Seminar at Santa Rosa, California, from May 3, 1979 to May 4, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Sergeant Victor Wode, Police Officer David Alex and Police Officer Dirk Beijen, Personnel and Training, in a sum not to exceed \$109.00 each, will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 266-79

AUTHORIZING ATTENDANCE OF POLICE OFFICER MICHAEL CHAN, PERSONNEL AND TRAINING, (ACADEMY STAFF), AT THE FIREARMS INSTRUCTORS' COURSE AT EUREKA, CALIFORNIA, FROM MAY 7, 1979 TO MAY 18, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Police Officer Michael Chan, Personnel and Training (Academy Staff), be detailed to attend the Firearms Instructors' Course at Eureka, California, from May 7, 1979 to May 18, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Police Officer Michael Chan, Personnel and Training (Academy Staff), in a sum not to exceed \$620.20 will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins



RESOLUTION NO. 267-79

AUTHORIZING ATTENDANCE OF LIEUTENANT DANIEL MURPHY, INTELLIGENCE UNIT, AT THE NATIONAL LAW ENFORCEMENT INTELLIGENCE CONFERENCE AT PHOENIX, ARIZONA, FROM MAY 8, 1979 TO MAY 11, 1979, INCLUSIVE.

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RESOLVED, that the recommendation of the Chief of Police that Lieutenant Daniel Murphy, Intelligence Unit, be detailed to attend the National Law Enforcement Intelligence Conference at Phoenix, Arizona, from May 8, 1979 to May 11, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Lieutenant Murphy, in a sum not to exceed \$427.00 will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 268-79

AUTHORIZING ATTENDANCE OF CAPTAIN JOHN MAHONEY, INTERNAL AFFAIRS BUREAU AND ROBERT BYRNE, SENIOR ATTORNEY, LEGAL OFFICE, AT THE WORKSHOP ON POLICE CIVIL LIABILITY AND DEFENSE OF CITIZEN MISCONDUCT COMPLAINTS, AT SAN FRANCISCO, CALIFORNIA, FROM MAY 14, 1979 TO MAY 16, 1979, INCLUSIVE.

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RESOLVED, that the recommendation of the Chief of Police that Captain John Mahoney, Internal Affairs and Robert Byrne, Senior Attorney, Legal Office, be detailed to attend the Workshop on Police Civil Liability and Defense of Citizen Misconduct Complaints, at San Francisco, California, from May 14, 1979 to May 16, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Captain John Mahoney, Internal Affairs Bureau, and Robert Byrne, Senior Attorney, Legal Office, in a sum not to exceed \$500.00, will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins





RESOLUTION NO. 269-79

AUTHORIZING ATTENDANCE OF POLICE OFFICERS JOHN MEEK AND GEORGE STASKO, NORTHERN POLICE STATION, AT THE POLICE REPORT WRITING INSTRUCTOR'S WORKSHOP AT CARMEL, CALIFORNIA, FROM MAY 14, 1979 TO MAY 16, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Police Officers John Meek and George Stasko, Northern Police Station, be detailed to attend the Police Report Writing Instructor's Workshop at Carmel, California, from May 14, 1979 to May 16, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Police Officers John Meek and George Stasko, Northern Police Station, in a sum not to exceed \$172.00 each, will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 270-79

AUTHORIZING ATTENDANCE OF LIEUTENANT SOL WEINER AND POLICE OFFICER ROGER HUGO, SUPPORT SERVICES-WARRANT SECTION, AT THE CALIFORNIA WARRANT SEMINAR AT SANTA ROSA, CALIFORNIA, ON APRIL 27, 1979.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Sol Weiner and Police Officer Roger Hugo, Support Services-Warrant Section, be detailed to attend the California Warrant Seminar at Santa Rosa, California, on April 27, 1979, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Lieutenant Sol Weiner and Police Officer Roger Hugo, Support Services-Warrant Section, in a sum not to exceed \$20.50 each, will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins





RESOLUTION NO. 271-79

AUTHORIZING ATTENDANCE OF THIRTEEN (13) SERGEANTS AND ELEVEN (11) PROSPECTIVE SERGEANTS, AT AN 80 HOUR POLICE SUPERVISOR COURSE, MANDATED AND CERTIFIED BY POST, AT CITY COLLEGE, SAN FRANCISCO, CALIFORNIA, FROM MAY 21, 1979 TO JUNE 1, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that thirteen (13) Sergeants and eleven (11) Prospective Sergeants be detailed to attend an 80 hour Police Supervisor Course, Mandated and Certified by POST at City College, San Francisco, California, from May 21, 1979 to June 1, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by thirteen (13) Sergeants and eleven (11) Prospective Sergeants, in a sum not to exceed \$7,000.00 will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 272-79

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Sergeant Michael S. ) \$172.00	(At the Law Evidence
Hebel )	(and Arrest Unit Re-
Personnel & Training)	(vision Seminar at San
	(Diego, California, from
	(April 4, 1979 to April
	(5, 1979, inclusive.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins



The members of the Commission, having received and returned amended copies of the minutes of the meeting of March 21, 1979, reading was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

#### CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "Mr. President, members of the Commission, I do not have a report, however, Sylvia Jacobsen is here from the Civil Service Department in response to the request of the Commission that we get a Status Report in regards to the Recruitment Program, the Audio Visual Testing of April 7th. If it is your pleasure, she will give you a status report."

Sylvia Jacobsen: "Mr. President, members of the Commission, you have before you, basically, a time schedule for the examination process for Q2 plus what we have right now in terms of data. Those qualified applicants versus those who participated in the Audio Visual Component of the examination. What we can show you at this time is that there was less than a 2% drop off rate for any protective class in those who qualified versus those who participated. Our program right now is that we will have the up to date data runs by Monday of next week. At that time, Dr. Louis Egan, a consultant from Washington to deal with the item analysis on the Audio Visual Test and to set up the oral component of the examination, will be in San Francisco for the week. He will go through all of the data that we will provide for him. Now this data will be race and sex runs by item and also by site. As you are aware there were seven sites used in the Audio Visual Test and there were some problems on the Audio and, in some cases, some problems on the Visual. Therefore, site by site runs will compare one site to the other and each particular group in that site so that we can get some correlation on problems that occurred on the sites in those items that may be required to be eliminated from the test. All of this information will be provided to Dr. Egan."

Commissioner Murphy: "Excuse me, can I ask you before you go on? Is there any thought of re-giving those examinations where the site and the Video and the Audio went out? It was two schools, wasn't it, where this occurred?"





Sylvia Jacobsen: "No, there were more than two schools. What we have to do is look at the item analysis at this time which we will have by Monday of next week. That is each particular question in the test to see if there is any correlation from site to site on those items that were affected by a faulty Audio or by a faulty Visual. So those will be looked at by the test consultant from Washington with Civil Service Commission Staff. Based upon the item analysis a presentation will be made to Public Advocates, the newly appointed Auditor Monitor, and effected parties, by May 3, 1979, that's next Thursday. And, also, to the Police Officers' Association in this case."

Commissioner Ciani: "May I interrupt? Are you saying that if there appears to be a problem with certain items they would be eliminated rather than any weighing of them and retention of them in the test?"

Sylvia Jacobsen: "What we will do is provide certain alternatives, based on what happened in the test. It is my understanding that it's finally up to the courts, the Plaintiffs and the Intervenors to imput at that time on what will finally happen in the weighing and the scoring of the Audio Visual as per the Consent Decree."

Commissioner Toler: "If eliminated, would you give these exam sections again to the one's who may have taken it?"

Sylvia Jacobsen: "It will depend. It could possibly just be eliminated and there will be no need to re-give that section again."

Commissioner Murphy: "Well, isn't it important, however, to know what their answers would be to these questions? They are not questions just given for the sake of giving them, they should be things that are important for them to answer properly."

Sylvia Jacobsen: "Okay, there were certain items within the test Commissioner that have been thought to be in the past high adverse impact items. This occurred in the 1974-1975 Q2 Entrance Examination. These items are still in place and what we want to be able to do is do a thorough analysis of whether these items are job related and have a high adverse impact and these things will be done when Doctor Egan is here from Washington, and this data will be available to all parties at that time."

Commissioner Siggins: "By terminology you used the word 'item,' are you talking about a question?"





Sylvia Jacobsen: "Yes sir. Our plan, at this time, will be to produce a list for the Chief of Police by July 31st of this year. Now, there are certain factors which we are very conscious of that will come into play. There are review periods throughout the process. Periods for the Plaintiffs and the Intervenors to look at various components of the Examination and there will be time allotted for those review periods which causes, unfortunately, a delay getting a list finally out for the Chief."

Commissioner Sanchez: "If I might, I have a few questions I would like to throw out. Do we have any data in the report or that will be forthcoming showing the actual number of potential candidates that took the pre-course work, the drop out rate and then those that actually took the examination and then, I guess, when you get your person from what? ETS in Washington, is that who is coming out?"

Sylvia Jacobsen: "URI."

Commissioner Sanchez: "URI, okay, the other one. If, perhaps, we could even have some data showing the various geographic sites, because each one would be under a different condition to find out if there is any correlation whatsoever between those that actually took the pre-course work, those that actually completed it, as an example, we also have some that I guess are now taking the physical part, right, on Saturday and Sunday. I was also going to ask you another question. Were some of these pre-programs terminated because of lack of facilities or were they actually given up to the date of the examination or whatever the actual schedule was?"

Sylvia Jacobsen: "Okay, in answer to the first part of your question, the data you are talking about will be available. Professor Travers, who is the appointed Auditor Monitor, is setting up a unit which will have a full tracking and retention system, including the data that we obviously need. There will be some more refined data that will correlate certain things that we are not required to do but we want for our own information. So that will be done. Could you give me the second part of the question?"

Commissioner Sanchez: "The second part was if you have any of the data to show if certain classes were cancelled prior to the examination, and if so, what was the justification for that? Was that because you didn't have the proper space, or you didn't have teachers, or there wasn't enough students for the classes, or did that, in fact, happen?"



Sylvia Jacobsen: "To my knowledge Commissioner, we didn't cancel any classes, in fact, we actually added classes for people who filed later in the process because there was an extension of recruitment time. We added intensive training classes to accommodate those people who filed late in the process."

Commissioner Sanchez: "Okay, so therefore, the curriculum taught in all the pre-test seminars, or classes, were standards for all candidates who undertook the pre-training classes, correct?"

Sylvia Jacobsen: "The curriculum was standard. The individual instructors were different."

Commissioner Sanchez: "Right, okay, is there going to be any followup as far as either questionnaires sent out by the Civil Service Commission, or whatever, as to why those that were initially certified as qualified versus those who actually took the examination so this way we might have some feedback as to why, in fact, they did not take the examination whatsoever but still had almost about a what, 35% drop if not more in some sub-sets?"

Sylvia Jacobsen: "Yes, that's the purpose of a very refined tracking system that will be put into place as of May 15th."

Commissioner Sanchez: "Yes, if perhaps I could ask just one more question, therefore, those that actually participated in the examination which, I guess, was what, seven hours, or whatever, will not know the final results and the ranking of same until after there are one or two reviews, and the findings of the consultant coming in to test the content, validity and reliability, or whatever, and you take a look at all the other variables and then therefore, you either do a ranking or you eliminate some items that may have no validity whatsoever, or whatever, correct?"

Sylvia Jacobsen: "That's correct, Commissioner."

Commissioner Sanchez: "So that could possibly be what, three months from now, six months from now, or do you have any idea as far as what you think the deadline may be?"

Sylvia Jacobsen: "We are hoping that within a 30 day period Plaintiffs and Intervenors can come to some agreement on allowing us to proceed."

Commissioner Sanchez: "Which would be what, thirty days?"





Sylvia Jacobsen: "Yes indeed, thirty days."

Commissioner Murphy: "When does the Washington man get here?"

Sylvia Jacobsen: "Monday, Commissioner."

Commissioner Murphy: "This coming Monday?"

Sylvia Jacobsen: "Yes it is."

Commissioner Murphy: "Wouldn't it be faster just to give that test over again to those people who could neither see or hear what they were being asked rather than having somebody come in and try to correlate a whole bunch of stuff and so on?"

Sylvia Jacobsen: "In certain parts of the film the background noise is actually on the film and that caused a confusion, I believe, to some of the candidates. Traffic noises, telephone ringing is actually part of the film."

Commissioner Murphy: "Well then, everybody saw the same film."

Sylvia Jacobsen: "That's correct."

Commissioner Murphy: "Oh, I see, I thought some groups saw one thing and some groups saw another."

Sylvia Jacobsen: "No."

Commissioner Murphy: "They all saw the same film and they all heard the same thing, is that correct?"

Sylvia Jacobsen: "We are waiting for a site analysis to make sure that that, in fact, did happen, or that there weren't peculiar audio problems, let's say at Everett High School versus those at Lowell High School."

Commissioner Toler: "What are some of the complaints we are now receiving regarding the Audio phase of it?"

Sylvia Jacobsen: "There were certain parts of it that couldn't be heard clearly."

Commissioner Sanchez: "Or could I just follow up on that, is there any process now that has been established by the Civil Service Commission whereby those candidates who felt that there were discre-





pancies either in the geographical location or whatever, could at least file some sort of grievance, or protest, or whatever you wanted to use, and this way when your consultant comes out he can at least begin to analyze that also and decide if, indeed, there is a degree of significance which merits, you know, maybe exploring some other options, or is it just sort of been, you know, like a standard letter saying thank you very much for your concern, whatever?"

Sylvia Jacobsen: "No. It's my understanding that at the close of business for protest to be delivered, there were some 87 protests. These protests will all be processed by the Civil Service Commission, and again, looking at an item analysis by question, by site, along with those protests on those items we should be able to produce some data to explain what happened and whether it was uniform from site to site or whether, in fact, we now have to do something else."

Commissioner Murphy: "It seems very, very tortuous, to say the least, that we can't just simply go and give that part of the test over again and proceed from there, and not have to have all of this analysis all over the place."

Commissioner Sanchez: "The date of the actual physical examination, or whatever it is, is scheduled for when, tentatively?"

Sylvia Jacobsen: "We have a tentative date for 5/26/79, keeping in mind, also, that's Memorial Day weekend, so there may have to be some change."

Commissioner Sanchez: "Right, but however, that will not be undertaken until after those who have passed part one are ranked, or what?"

Sylvia Jacobsen: "No, have been considered to have passed. There may be no ranking in that particular section of the test. But when a cut off score has been established and people have passed or failed, we can go ahead with the physical agility part."

Commissioner Siggins: "Is there any other questions? Thank you very much Mrs. Jacobsen. Are there any questions for the Chief?"

Commissioner Sanchez: "If, perhaps, I might ask one question, could you sort of give us a brief summation, maybe only one word, of what happened at the Finance Committee Hearings pertaining to what level are we at now?"



Chief Gain: "It's pretty simple. The Budget Analyst Staff, as far as the most significant recommendation of theirs, recommended that 90 unmarked vehicles be deleted from our budget, which was a combination of additional new cars and replacement cars. So we made a presentation to, hopefully, overcome that and the Finance Committee is taking that under consideration, and next week there will be a meeting where there will be a report, a reaction I guess, by Harvey Rose, and then we will determine what happens to those 90 vehicles. Those were the most significant things we resolved along with some other matters, that's the big one."

RESOLUTION NO. 273-79

REQUESTING PERMISSION OF THE POLICE COMMISSION  
TO MAKE A NON-CIVIL SERVICE APPOINTMENT TO THE  
RANK OF CAPTAIN.

RESOLVED, that the Police Commission approves the non-civil service appointment by the Chief of Police of one lieutenant to the rank of captain.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

Commissioner Siggins at this point stated that the Commission should point out that it received a letter from Captain George Jeffery, President of the Supervisors and Investigators Association, stating that their Association opposes beards of any sort by uniform personnel and that they desired to keep the current grooming standards.

NOTIFICATION OF FILING OF CHARGES AGAINST POLICE  
OFFICER DANIEL MARR, VICE CRIMES DIVISION.

Paul Chignell, POA Representative: "Mr. Bley could not attend tonight, he is out of town at a trial. I discussed this matter with the Chief in Mr. Bley's presence and we request that this matter be deferred until May 9, 1979, for setting."

Commissioner Siggins: "Okay."





Commissioner Murphy: "May 9th?"

Lawrence Wilson: "That's for setting on that date, not for hearing."

Chief Gain: "My understanding from Mr. Bley is that he does have commitments out of town now and then, commitments next week which will preclude his appearance here and he is the attorney who will represent Officer Marr."

Commissioner Murphy: "Well, when will he be ready to attend to this matter?"

Lawrence Wilson: "If the Commission would like to suggest dates they, perhaps, could be forwarded to Mr. Bley so that he has a chance to consider them before the 9th."

Paul Chignell: "I am sure that Mr. Bley's position is going to be that this matter be put over until the criminal case is adjudicated as is the case of other matters that have come before this Commission."

Commissioner Siggins: "Yes, but it doesn't necessarily have to be that way."

Chief Gain: "Well, I would just recommend that we continue it to the 9th for setting and then the discussions would take place then as they usually do between the attorneys and the Commission."

Commissioner Sanchez: "Yes, I would move for the 9th."

Commissioner Siggins: "Yes, let's put it over to the 9th."

Commissioner Murphy: "I think that's alright except I think it would be wise, so that this won't drag on for months and months as some of our cases have, to suggest a couple of dates to Stephen Bley so he won't make other dates and get himself tied up going to Honolulu or some place. If we could suggest those dates I think it would be appropriate. For example, the 16th or the 23rd, or even a separate night."

Commissioner Toler: "Do we have other cases pending now?"

Commissioner Murphy: "Oh, we have a lot of them."





Commissioner Toler: "Well, this will take precedent then over them?"

Chief Gain: "Do you have a calendar as far as what dates are open Lieutenant?"

Lieutenant Frazier: "I don't have a calendar but I know that days other than Wednesdays, if the Commissioners desire, are open. On that particular night there are a couple of officers who are up on charges, Lum and Murphy."

Commissioner Murphy: "Yes, but on the 16th?"

Lieutenant Frazier: "On the 16th, I don't believe that there is anything scheduled for that date as far as hearings are concerned."

Commissioner Murphy: "I would like to suggest that we propose the 16th to Mr. Bley, and hopefully, he can meet at that time."

Lieutenant Frazier: "Mr. Byrne says that on the 16th there is a scheduled hearing."

Robert Byrne: "The hearing of Officer Landucci, which is one of Mr. Bley's clients."

Chief Gain: "If I may respectfully submit, I don't think that Officer Chignell nor the Legal Staff is in a position now to be suggesting dates to Mr. Bley."

Commissioner Murphy: "Why not?"

Commissioner Siggins: "Well, I think what Commissioner Murphy wants to happen is to move this one along, that we don't want any delays from the Department in exchange of information and things like that, you know, where he comes in and says....."

Chief Gain: "I have already so expressed myself that I would like to see this matter heard as soon as possible and that the 16th would be available, because we could set the other hearing for some other time. We have done this time after time. It is not sacrosanct as far as I can see."

Commissioner Sanchez: "I would like to throw out something here again. It seems to me that we, as a Commission, have always, at least, in my brief tenure, discussed possible hearing dates and if,



indeed, all of the things are completed, and whatever, and also the fact that if there are criminal proceedings against somebody within the Department, then what again is the posture and policy of this Commission, and I think this should be properly discussed with the legal council and with our attorneys at an open meeting when he is here. And I think it is academic for us to try and talk about possible dates when, in fact, we have no idea of both the contents and questions of this."

Commissioner Siggins: "Right. I think the Department has the message and we have to discuss with the lawyers that will try the matter and know the amount of time that is going to be needed and so forth."

Commissioner Murphy: "That can be done. All I am suggesting is that they talk about it and try to set it as soon as possible, get the information over to him, let Stephen get the information back and we proceed and not have it just going on indefinitely because it's a very important case."

Chief Gain: "Okay, may I request then that the Commission pass a resolution giving the Staff that direction, we will certainly....."

Commissioner Siggins: "Well, it's put over to May 9th for setting and just ask the Department....."

Commissioner Sanchez: "Right."

Chief Gain: "Okay fine, no discussion about May 16th then?"

Commissioner Siggins: "We already have a hearing on the 16th."

Chief Gain: "If I may, I am just trying to bring it to a head, we will, of course, most willingly talk to him about May 16th, but I would request it be by resolution so I would know what the Commission wants."

Commissioner Sanchez: "If it works out with both our counsel and with the counsel of the officer, then I think that's fine May 16th, or whatever, but I don't think that at this point, I don't think we should....."

Chief Gain: "That will be discussed on May 9th."

Commissioner Murphy: "You wouldn't dare talk to him about it beforehand, I assume?"





Commissioner Ciani: "I am a little worried about the appearance of our objectivity were we to treat this case differently than other cases. I understand that you have reasons for wanting to push it ahead, but I think we have to pay the same courtesy to the parties and the officer involved that we generally do. I think if we treat this differently it makes it appear that we are not being objective about it and I don't like that appearance."

Paul Chignell: "Is there a possibility that I could carry forth to Mr. Bley the reasons why this case has to be moved along?"

Commissioner Ciani: "I just finished saying that as far as I am concerned I think that this has to be treated as other cases."

Paul Chignell: "Commissioner Murphy stated that she wanted this to be moved along and I was wondering if I could carry that to Mr. Bley, the reasons for moving this along."

Commissioner Murphy: "I think the only reason I wish this to be pushed along is because of the publicity it has gotten, the discussion it is getting and so on, and I think the longer we wait it really becomes harder on the officer as well as the complainants. I honestly do. And those are my reasons."

Commissioner Siggins: "Well, we have a general policy and we want to move all of these cases along."

Chief Gain: "If I may clarify my position by asking for a resolution, I feel that I cannot take a direction from the Commission unless it's by resolution. I cannot take direction from one Commissioner so that's why I am suggesting....."

Commissioner Siggins: "I have always taken the position that the President can set the calendar on these hearings anyway and we will put it over to the 9th to have a discussion with the officer's lawyer. Mr. Chignell has represented to us that Mr. Bley is out of town on trial and that he has asked to put it over to that time. Okay, next item."





RESOLUTION NO. 274-79

POLICE OFFICER DANIEL MARR, VICE CRIMES DIVISION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Daniel Marr, Vice Crimes Division, as follows:

SPECIFICATION NO. 1

Conduct Unbecoming an Officer and Reflecting Discredit on the Department. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Conduct Unbecoming an Officer and Reflecting Discredit on the Department. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Conduct Unbecoming an Officer and Reflecting Discredit on the Department. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 4

Using Force and Violence on Another Person Without Justification. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 5

Using Force and Violence on Another Person Without Justification. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)



SPECIFICATION NO. 6

Failure to Truthfully Answer  
Questions Propounded. (Viola-  
tion of Section 2.49 of the Rules  
and Procedures of the San Francisco  
Police Department.)

SPECIFICATION NO. 7

Failure to Truthfully Answer  
Questions Propounded. (Viola-  
tion of Section 2.49 of the Rules  
and Procedures of the San Francisco  
Police Department.)

SPECIFICATION NO. 8

Failure to Truthfully Answer  
Questions Propounded. (Viola-  
tion of Section 2.49 of the Rules  
and Procedures of the San Francisco  
Police Department.)

by Charles R. Gain, Chief of Police; therefore  
be it

RESOLVED, that the setting of the date  
for the hearing before the Police Commission on  
charges filed against Police Officer Daniel Marr,  
Vice Crimes Division, be, and the same is hereby  
set for Wednesday, May 9, 1979 at 5:30 p.m., in  
Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 275-79

HEARING OF POLICE OFFICER EDDY L. CASTIGLIONI,  
PERSONNEL AND TRAINING.

WHEREAS, the hearing of Police Officer  
Eddy L. Castiglioni, Personnel and Training, was  
called, it having been set for this date; and



WHEREAS, Sergeant Michael S. Hebel, Attorney at Law, who is representing Police Officer Eddy L. Castiglioni, has requested that a date for the hearing be set after the criminal proceedings have been disposed of in this matter; therefore be it

RESOLVED, that the setting of the date for the hearing before the Police Commission on charges filed against Police Officer Eddy L. Castiglioni, Personnel and Training, be, and the same is hereby set for Wednesday, June 27, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

Lieutenant Frazier: "Commissioners, before going to the next item, I believe Mr. Byrne wanted to bring up the matter of Police Officer Katherine Anderson, who's hearing is scheduled for Monday, the 30th of April."

Robert Byrne: "Yes, Commissioners, Officer Anderson who is represented by Inspector Earl Sanders and who's attorney, until recently, was a man named Sperlock who resides in Sacramento. Mr. Sperlock called me on Monday and sent a letter to me which I received on Tuesday, indicating that for various problems he is withdrawing as her attorney. On receiving that communication, I contacted Inspector Sanders and asked him to please be sure to be here tonight or have Officer Anderson here tonight to explain to the Commission what is going to be done as far as this client is concerned, whether he is going to seek new counsel or what. Neither one of them are here, the reason I am bringing this up is that I would say, under the circumstances, there is an excellent chance that they will not be ready to proceed if she is not represented on Monday. I just wanted to advise the Commission of that."

Commissioner Siggins: "Yes, that was a big splash and there is no lawyer showing up and Sanders is here talking on behalf of somebody else, so now there is nobody here. He might show up later on tonight, or is he going to come here at all?"

Robert Byrne: "He said when I talked to him that either he or Officer Anderson would be here."





Commissioner Siggins: "Lets put that over. He will probably show up."

HEARING OF PATROL SPECIAL OFFICER ALBERT ROBLES,  
CENTRAL POLICE DISTRICT

The hearing of Patrol Special Officer Albert Robles, Central Police District, was called, it having been set for this date. Patrol Special Officer Albert Robles was charged with violating the Rules and Procedures, as follows:

SPECIFICATION NO.1

Conduct Unbecoming an Officer.  
Reflecting Discredit Upon the  
Department. (Violation of Sec-  
tion 2.13 of the Rules and Pro-  
cedures of the San Francisco  
Police Department.)

in a properly verified complaint by Charles R. Gain,  
Chief of Police of the San Francisco Police Depart-  
ment.

Patrol Special Officer Albert Robles,  
appeared in person and was represented by Mr.  
Jeremiah F. O'Shea, Attorney at Law.

Mr. Lawrence Wilson, Legal Office,  
appeared as the Prosecutor for the Police De-  
partment.

The reading of the Charges was waived.

Mr. Jeremiah F. O'Shea, Attorney at  
Law, entered on behalf of his client, a written  
plea to Specification No.1 as follows:

The accused denies each and every  
allegation contained in subparagraphs (c), (e),  
(f), and (g).

Answering subparagraph (d) the accused  
admits that he caused to be opened a plastic and  
metal comb which is operated by a spring mechan-  
ism, and with this exception, denies each and  
every other allegation contained therein.

An opening statement was made by Mr.  
Wilson.



The following-named witnesses were called by the Prosecution, sworn and testified:

Tracy Wilkenson  
768-25th Avenue  
San Francisco, Ca.

Mary Ranney  
2364-18th Avenue  
San Francisco, Ca.

Douglas Ranney  
2364-18th Avenue  
San Francisco, Ca.

Victoria Rex  
1538-10th Avenue  
San Francisco, Ca.

The following-named witness was called by the Defense, sworn and testified:

Patrol Special Officer Albert Robles  
Central Police District

The following Exhibit was entered into Evidence by the Prosecution:

Exhibit No. 1 - One Switchblade plastic and metal comb, 5" long, black knurled handle with 4-1/4" long comb blade.

A closing statement was then made by Mr. Wilson and Chief of Police Charles R. Gain.

A closing statement was also made by Mr. Jeremiah F. O'Shea, on behalf of the Defense.

The Commission took the matter under submission, after which the following resolution was adopted:

RESOLUTION NO. 276-79

DECISION - HEARING OF PATROL SPECIAL OFFICER ALBERT ROBLES, CENTRAL POLICE DISTRICT.

WHEREAS, on December 21, 1978, Charles R.



Gain, Chief of Police of the San Francisco Police Department, made and served charges against Patrol Special Officer Albert Robles, Central Police District, as follows:

SPECIFICATION NO. 1

- a) That on Friday, September 29, 1978, at approximately 2350 hours, Patrol Special Officers Albert Robles and John Andrews were patrolling outside of the establishment known as "The Holding Company," located in 2 Embarcadero Center;
- b) That present at the same time and place were Tracy Wilkenson, Mary Ranney, and Doug Ranney;
- c) That the accused Patrol Special Officer Albert Robles, tripped over or walked into Tracy Wilkenson who was standing on the walkway of "The Holding Company," which occurrence precipitated a cordial conversation among the above-named individuals;
- d) That, without provocation or explanation, the accused did cause to be opened a plastic and metal comb, the teeth of which are exposed or concealed by a spring mechanism as if they were the blade on a switchblade knife;
- e) That his "Switchblade comb" is designed, constructed and operated so that it appears to the casual observer to be a dangerous switchblade knife, in that the base end of the comb portion is sheathed in a bright metal resembling the full edge of a knife blade, and this metal sheathed comb portion opens suddenly when a button on the side of the handle is pushed;
- f) That the accused did suddenly place this object in proximity to the neck of the complainant Wilkenson in a threatening fashion that caused her to fear for her safety;





- g) That this unwarranted action and conduct unbecoming a Patrol Special Officer did subvert the good order, efficiency and discipline of the Department and reflected discredit upon the Department in violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department, which states:

"2.13-Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency and discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficerlike conduct triable and punishable by the Board."

That at all times herein mentioned, the accused, was, and still is a member of the San Francisco Police Department, in ownership of Patrol Special Beat No. 20;

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, April 25, 1979, and that on Wednesday, April 25, 1979, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that said charges made and filed against Patrol Special Officer Albert Robles, Central Police District, as contained in Specification No. 1, are sustained by the evidence presented at the hearing and that Patrol Special Officer Albert Robles violated Section 2.13 of the Rules and Procedures of the San Francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that Patrol Special Officer Albert Robles has violated Specification No. 1, Section 2.13 of the Rules and Procedures of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that for said violation Patrol



Special Officer Albert Robles, shall be suspended from duty as a Patrol Special Officer for a period of thirty (30) days commencing Sunday, May 6, 1979 at 0001 hours, and terminating on Monday, June 4, 1979, at 2400 hours.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Ciani, Sanchez, Toler,  
Siggins

ABSENT: Commissioner Murphy

DIRECTOR IGNACIO T. ZARAGOZA AND CHIEF OF INSPECTORS  
JOHN ENGLER - IN MEMORIAM

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A communication was received from Chief of Police Charles R. Gain, officially notifying the Police Commission of the deaths of Ignacio T. Zaragoza, former Director of Traffic, and John Engler, former Chief of Inspectors.

AYES: Commissioners Ciani, Sanchez, Toler,  
Siggins

ABSENT: Commissioner Murphy

The Commission then adjourned its meeting at 2000 hours in memory of Ignacio T. Zaragoza and John Engler.

  
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SECRETARY



JUL 6 1979

2 MAY 1979

REGULAR MEETING

DOCUMENTS DEPT  
OF PUBLIC L

*Minutes*  
The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, May 2, 1979 at 1730 hours in regular session.

PRESENT: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

Commissioner Siggins presiding.

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

2535 UNION STREET - ST. MARY THE VIRGIN EPISCOPAL CHURCH

- a) At 2235 Union Street, install a 22' blue zone, extending from 66' to 88' east of west property line.

567 HAYES STREET - SIGN SUPPLIES

- a) At 567 Hayes Street, install a 22' yellow zone, extending from 1' east to 21' west of east property line.

595 BRYANT STREET - DECORATIVE PLANT SERVICE

- a) At 595 Bryant Street, install a 22' yellow zone, extending from 22' to 44' west of east property line.

49-4th STREET - SAN FRANCISCO APPAREL MART

- a) At 49-4th Street, install a 61' yellow zone, extending from 22' to 83' south of north property line.





- b) Revoke existing 29' white zone, extending from 58' to 87' south of Stevenson Street.

762 VALENCIA STREET - CALIFORNIA FUNERAL SERVICE

- a) At 762 Valencia Street, revoke existing 21' white zone, extending from north building line 21' south of same.

766 VALENCIA STREET - CALIFORNIA FUNERAL SERVICE

- a) At 766 Valencia Street, revoke existing 49' white zone, extending from 49' north of south building line.

645 HOWARD STREET - WEEKS HOWE EMERSON CO.

- a) At 645 Howard Street, revoke existing 27' yellow zone, extending from 10' to 37' east of Hawthorne Street.

20 HAWTHORNE STREET - WEEKS HOWE EMERSON CO.

- a) At 20 Hawthorne Street, revoke existing 41' Special Truck Loading Zone, extending from 52' to 93' south of Howard, 7 A.M. to 6 P.M.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 167 feet of white and yellow zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 279-79

LAWRENCE RUSSELL AND HIS ATTORNEY

RESOLVED, that the recommendation of



the City Attorney for settlement of litigation of Lawrence Russell and his attorney in the sum of \$4,000.00 in Superior Court Action No. 707-651 entitled "Lawrence Russell and his attorney v. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 16-18, 1975

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 280-79

MICHAEL MCNAMEE AND HIS ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Michael McNamee and his attorney in the sum of \$2,000.00 in Superior Court Action No. 707-920 entitled "Michael McNamee and his attorney vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: November 30, 1975

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 281-79

KATHLEEN MARIE BARNETT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Kathleen Marie Barnett against the City and County of San Francisco in the sum of \$576.52 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: November 13, 1978

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins



RESOLUTION NO. 282-79

CALIFORNIA STATE AUTOMOBILE  
ASSOCIATION

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the California State Automobile Association against the City and County of San Francisco in the sum of \$436.66 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: September 22, 1978

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 283-79

DANNY L. WALLACE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Danny L. Wallace against the City and County of San Francisco in the sum of \$355.58 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: November 28, 1978

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 284-79

HUMBERTO AVALOS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Humberto Avalos against the City and County of San Francisco in the sum of \$293.30 as the result of a collision with a police vehicle, be,





and the same is hereby approved.

Date of Accident: January 15, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 285-79

LAURENCE O. MASSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Laurence O. Masson against the City and County of San Francisco in the sum of \$289.00 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: December 30, 1978

AYES: Commissioners Ciani, Muprhy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 286-79

CONTINENTAL INSURANCE COMPANY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the Continental Insurance Company against the City and County of San Francisco in the sum of \$286.00 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: August 28, 1978

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 287-79

ANDRE DAVIS

RESOLVED, that the recommendation of



the City Attorney for settlement of the claim of Andre Davis against the City and County of San Francisco in the sum of \$274.50 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 26, 1978

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 288-79

SUSAN J. COATES

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Susan J. Coates against the City and County of San Francisco in the sum of \$271.27 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: February 5, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 289-79

STUART WILSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Stuart Wilson against the City and County of San Francisco in the sum of \$135.00 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: February 18, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins



RESOLUTION NO. 290-79

ROBERT T. A. YEAP

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert T. A. Yeap against the City and County of San Francisco in the sum of \$48.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 26, 1978

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 291-79

W. C. WRIGHT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of W. C. Wright against the City and County of San Francisco in the sum of \$20.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 27, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 292-79

VIRGINIA KAREN GALLAHER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Virginia Karen Gallaher against the City and County of San Francisco in the sum of \$6.50 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 27, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins





RESOLUTION NO. 293-79

SUSAN LOBO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Susan Lobo against the City and County of San Francisco in the sum of \$6.27 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: November 23, 1978

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 294-79

TIMOTHY LIVERMORE AND SUSAN BLANFORD

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Timothy Livermore and Susan Blanford against the City and County of San Francisco in the sum of \$80.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: September 12, 1978

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 295-79

NEWELL H. HEYWOOD JR.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Newell H. Heywood Jr., against the City and County of San Francisco in the sum of \$23.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 29, 1978

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins



RESOLUTION NO. 277-79

AUTHORIZING ATTENDANCE OF POLICE OFFICER IRENE BRUNN, INVESTIGATIONS, YOUTH SERVICES DIVISION, AT THE CHILD ABUSE SEMINAR IN SAN FRANCISCO, CALIFORNIA, FROM MAY 14, 1979 TO MAY 18, 1979, INCLUSIVE.

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RESOLVED, that the recommendation of the Chief of Police that Police Officer Irene Brunn, Investigations, Youth Services Division, be detailed to attend the Child Abuse Seminar in San Francisco, California, from May 14, 1979 to May 18, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Police Officer Irene Brunn, Investigations, Youth Services Division, in a sum not to exceed \$150.00, will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 278-79

AUTHORIZING ATTENDANCE OF SERGEANT ROBERT BERRY, NORTHERN POLICE STATION, AT THE POLICE REPORT WRITING INSTRUCTOR'S WORKSHOP AT CARMEL, CALIFORNIA, FROM MAY 14, 1979 TO MAY 16, 1979, INCLUSIVE.

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RESOLVED, that the recommendation of the Chief of Police that Sergeant Robert Berry, Northern Police Station, be detailed to attend the Police Report Writing Instructor's Workshop at Carmel, California, from May 14, 1979 to May 16, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Sergeant Robert Berry, Northern Police Station, in a sum not to exceed \$172.00, will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins



RESOLUTION NO. 296-79

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Assistant Criminalist)		(At the Advanced
Daniel Lee, Crime )	\$701.00	(Botanical Micro-
Laboratory )	each	(scopy Workshop at
)		(Chicago, Illinois,
Assistant Criminalist)		(from April 16, 1979
Terry Coddington, )		(to April 20, 1979,
Crime Laboratory )		(inclusive.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 297-79

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Lieutenant William )	\$891.00	(At a Basic Spec-
Scheffler )		(ialist Team Training
Investigations Bureau)		(Course, at Hamilton
		(Air Force Base, Marin
		(County, California,
		(from April 18, 1979
		(to April 20, 1979,in-
		(clusive.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "No report tonight Commissioners."





Commissioner Murphy: "I have a question I would like to ask. We were given, last week, an outline by date of what's happening with the Q2 Police Officers Examination. And you remember we have that woman here from the Civil Service Commission last time, I scarcely understood a word she said, but this interests me, do you have anything more recent or clearer....??"

Chief Gain: "That came with your calendar, didn't it?"

Commissioner Murphy: "Yes, it gets down to 421 then it says review of scoring completed test consultant recommendations ready by 4/30 to 5/7. I suppose that hasn't been done."

Chief Gain: "We will meet tomorrow afternoon and then next week we will give you an update as to where that stands."

Commissioner Murphy: "Can you tell me why they have to go through these agonizing contortions of trying to find out who didn't answer the questions, and why, and so on, when it would be much simpler just to give the test over again?"

Chief Gain: "No, I think the process is when persons protested, they claimed that as a valid reason for protesting. There were some 50 protests, I am not quite sure of the number, and I think it would be better to resolve those 50 persons who protested rather than give the examination over for 3,000 persons."

Commissioner Murphy: "No, no, I mean to give it over for those persons who couldn't hear or see the material."

Chief Gain: "I don't know about that. I don't know which would be easier."

Commissioner Ciani: "That would be giving unfair advantage for them, they would have seen it twice."

Commissioner Siggins: "I would like to take the test a second time."

Commissioner Murphy: "Well, I know but this seems to be a difficult way to do it. And incidentally, they have not seen or heard the questions in the first place so it isn't taking a test the 2nd time."



Chief Gain: "Well, we will give you an update next week, we will have a meeting tomorrow for the purpose of where we are now and what's going to happen in the future."

Commissioner Sanchez: "I think Commissioner Murphy, that basically, part of the so-called test content analysis which I think they are taking a look at as to how the questions were stated and how you would measure the validity and reliability of each item and then take a look at each place from which the test was given or administered. This way they could see, as an example in site A, let's say Galileo, substantial numbers of responses were wrong on certain items that maybe in the other four or five sites were significantly higher, this might validate some of the concern that in certain sites there might have been difficulties in seeing, or hearing, or whatever."

Commissioner Murphy: "I understand that but the thing is that you want to know which people taking the test answered properly or correctly as contrasted to those who did not and it was a substantial number who didn't even hear the questions or see the samples, and so on. There is no way to know which ones would have answered properly and which ones wouldn't have, had they heard and seen, that's my problem with this. I understand it's very much easier to do it this way, but after they get through analyzing they still can't grade the contestant, really, because if they haven't answered a substantial number of the questions one doesn't know what they would have done had they had an opportunity to answer them."

Commissioner Sanchez: "Well, perhaps there will be a lot more information, once some of this stuff is factored out and then it could be explained a little more clearly with their consultant who, I hope, would appear before us at some point to present the findings. I was going to ask one question to follow up on that, the people we have had who have been doing police recruitment, what is their status now? This was a temporary position just for the police recruitment program and now it is non-functional, or what?"

Chief Gain: "We had 21 persons doing recruiting and we still have about 10 persons still involved. To train for the physical agility examination which will be the next test between here and now. So we have several police officers conducting that training and then in regard to tracking and retention of those who were on the list, about 6 police officers are involved in part of that so we still have about 10 police officers involved in the examination process or some facet of it."





Commissioner Sanchez: "But didn't we have some civilians working with that or was that with the Civil Service group?"

Chief Gain: "No, that's under our language grant. The one big job they have is to consolidate all the records that they have generated from the recruiting process, categorize them and all that type of thing so then it would be personnel who are right in the next office here on the language grant still involved in that. A plan is being developed in regards to tracking and retention which will continue to evolve, until the whole examination process is over and there is a first, some numbers of police officers and the non-police persons under our language grant. Precisely what numbers of persons, I don't know. That should be resolved by May 15th as to what number of persons will continue."

Commissioner Ciani: "Could we have a report on the status of the budget?"

Chief Gain: "We had a meeting yesterday at the Finance Committee and one thing at issue is that we had asked for 90 unmarked replacement cars. The decision of the Finance Committee was not to give us 90 new replacement vehicles but rather 20 and that passed the Finance Committee. In regards to the SAFE Program, they made some deletions insofar as amount of monies for telephone cost. They cut that from \$10,000 to \$5,000 and a few other relatively minor things. But a big deduction they made was in regard to some 25 CETA employees that will be budgeted. They decided that they would be budgeted as Temporary employees, full time, but however, they deleted all fringe benefits from those employees which will cause us some difficulties because we will have a hard time attracting and retaining persons who are going to receive direct salary and no other benefits. No health insurance and retirement, whatever it may be, but that's what the Finance Committee did there. It remains to be seen what the full Board does."

Commissioner Murphy: "What was the vote from the Finance Committee on that item?"

Chief Gain: "Unanimous. It was a unanimous vote."

Commissioner Murphy: "And how much will that be, about 60,000 or something like that?"

Chief Gain: "\$56,000.00. I might say in regards to Police Service Aides and Station Officers they determined, and they voted unanimously, that they would vacate those positions through attrition rather than





what was proposed at the last meeting and that was to fund them for 6 months and then the positions would be vacated after 6 months. So it's going to be through attrition, it's going to take a number of years, and so as each position becomes vacant because someone quits, or whatever it may be, then we will replace that position with a clerical position. So that's what happened on the Police Service Aides and Station Officer positions."

Commissioner Sanchez: "The next process therefore is that this comes up before the full Board at what point, a couple of weeks?"

Chief Gain: "About the 20th of May. The SAFE Program, I think, is going to be adversely affected, substantially so, by having temporary employees with no fringe benefits."

Commissioner Murphy: "Do we have permanent employees now?"

Chief Gain: "They are all Federally funded now."

Commissioner Murphy: "And these will all be funded by Ad Valorem funds?"

Chief Gain: "Yes."

Commissioner Murphy: "They all do have fringe benefits now, of course?"

Chief Gain: "No, I don't think they have them now. But the whole scheme we had was to make the SAFE Program an integral part of the Police Department with Ad Valorem funding because it has proved to be so worthwhile to the safety of citizens in San Francisco and that's why we feel they should be regular Civil Service Employees with all of the fringe benefits, the same as any other Civil Service Employee."

Commissioner Sanchez: "So, basically, now their status is pretty much the same, rather than be Federal, it's still a so-called temporary position under....."

Chief Gain: "It would be Ad Valorem funding but a temporary position."

Commissioner Sanchez: "Under the committee report but there is still an opportunity for action by the full Board if so desired?"



Chief Gain: "What will have to be said to each employee is that, in effect, you have a one year job with no guarantee of continuation beyond one year."

Commissioner Murphy: "Or tell me could you have prepared for us a little statement of pros and cons, particularly the pros, of why this is desirable for us to use with any friends we happen to have on the Board, because I think that's what is going to have to happen among other things. Could you give me the figure again for the automotive equipment, or the cars, unmarked patrol sedans?"

Chief Gain: "We asked for 90 replacement unmarked vehicles and the Finance Committee voted to give us 20."

Commissioner Sanchez: "Or just a procedural question through the Chair, is it proper, or protocol, President Siggins if the Commission took a vote at this point or perhaps, entertained a motion to restore these three areas, let's say both the SAFE Project and the full request for the additional cars as far as unmarked, and whatever, and then forward that to the President of the Board of Supervisors, or is this not the way it is done?"

Commissioner Siggins: "I would suggest that we write to the Finance Committee because of procedural....."

Commissioner Sanchez: "But the Finance Committee has already acted though, hasn't it?"

Commissioner Siggins: "We can ask them to reconsider. The problem comes if they want to open up that budget, if they open up that one item, they open up everything."

Chief Gain: "May I suggest this that we give you a written report as suggested by Commissioner Murphy and then next week, with a resolution you can act upon it."

Commissioner Siggins: "Yes, that's a good idea. First of all there was no criticism of the SAFE Program, was there?"

Chief Gain: "The Harvey Rose statement to the Board was that approximately a year ago they made a survey and they found substantial deficiencies, however, they acknowledged that those had been overcome and that there were, in fact, substantial achievements in the





SAFE Program. So I don't think they gave any specific reasons. They had recommended that program to be reduced even more drastically than that."

Commissioner Murphy: "Yes, \$213,500."

Chief Gain: "They almost wiped it out."

Commissioner Siggins: "Okay, well we will get a report next week."

REQUEST OF PUBLIC DEFENDER JEFF BROWN FOR A  
PUBLIC HEARING ON POLICE POLICY CONCERNING POLICE  
CODE SECTIONS 20a, 20b, AND VEHICLE CODE SECTION  
12951. - CONTINUED FOR TWO (2) WEEKS.

Mr. Brown stated that for the record he had read the Information Bulletin that Chief Gain had submitted to the Police Department as to the procedures department members are to follow in respect to violations of the above mentioned Police Code Sections. He continued by saying he believed that the Information Bulletin is a first step and that the Chief has a sincere interest in seeing to it that there is a constitutional arrest policy in San Francisco. However, he stated, that he had several reservations which he thinks will require a full hearing. He said first of all, he did not know whether the Information Bulletin was in the form of a General Order, and he hoped that it would be at least that much. The second thing he said that he found difficult about the Bulletin is the fact that people would be arrested at all for this offense. He said it was his opinion that arrest should be made in situations where the offense is sufficiently grave and the possibility in a misdemeanor case exist that the individual will not return or heed the citation. He said it is his analysis that people at the present time are still being arrested for this offense, for example in the month of April in the course of representation by the Public Defender's Office in one department they had nine arrests for 20a and 20b and 647c, and in another department they had 17 arrests for the same offense and 10 in another department. He said people are continuing to be arrested for an offense which the District Attorney is continuing to discharge for which the offense is not serious. He said he would ask the Commission for a Hearing to determine the desirability of having arrest at all for this particular offense.

Chief Gain stated that yesterday an action was filed in Superior Court regarding these matters and, he stated, he would question the appropriateness now of any discussion here on this matter. He said he





was served yesterday and various other parties were also served and that he had referred it to legal counsel.

Commissioner Siggins stated that as he understood it from what he read in the Recorder that someone is challenging the constitutionality of Police Code 20a and 20b and Mr. Brown is saying that if anyone obstructs the sidewalks in any way and somehow takes over someones doorway on private property that the city should not do anything about it.

Mr. Brown then said that if there is a violation of this code, if this code is constitutional, which will be determined, presuming that it is constitutional, the police can issue a citation. He said that it is his thought that in light of the fact the District Attorney is not charging and there is a pattern of not charging for this particular offense which is demonstrative that rather than to arrest individuals at all that a citation is warranted.

Chief Gain stated as far as the District Attorney is concerned, that he had met with the District Attorney and as reflected in the Information Bulletin the District Attorney said he would evaluate each case and then determine whether to prosecute in appropriate classes.

After further discussion Commissioner Siggins suggested to Mr. Brown that we wait for a few weeks and see how this matter works out in it's present form before becoming involved in a public hearing without having tested out the new procedures.

Chief Gain stated that he would give the Commission a report as to the elements of the offenses and that, secondly, he would submit a report as to the disposition of those persons arrested.

The matter was then continued for two weeks.

REQUESTING APPROVAL OF THE POLICE COMMISSION BY  
PATROL SPECIAL OFFICER FRED SPITZER TO SELL PATROL  
SPECIAL BEAT #3 TO PATROL SPECIAL OFFICER RAYMOND  
ADKINS.

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Commissioner Sanchez: "I would like to just make one comment. Living near the beat, or maybe even on it, I just saw the line today, but I know from



many of the shops and the businesses on Mission Street, there are many little stores and a lot of families that have lived there over the years. They have nothing but praise for the quality of service that Officer Spitzer has given over his tour of duty for 27 years and he should be congratulated for doing an outstanding job both in cooperation with the Mission Police Station and for the Mission District Community. So, through the Commission I would like to have us congratulate him on a job well done and wish him well on his partial retirement."

Officer Fred Spitzer: "Thank you."

RESOLUTION NO. 298-79

PATROL SPECIAL OFFICER FRED SPITZER - REVOKED

RESOLVED, that the appointment of Patrol Special Officer Fred Spitzer Beat #3, Mission Police District, be, and the same is hereby revoked effective May 2, 1979, he having sold his beat to Patrol Special Officer Raymond Adkins.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 299-79

PATROL SPECIAL OFFICER RAYMOND ADKINS - APPROVED

RESOLVED, that Raymond Adkins, be, and he is hereby appointed a Patrol Special Officer for Beat #3, Mission Police District; said appointment effective May 2, 1979, he having purchased Beat #3, Mission Police District from Fred Spitzer.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RECEIPT OF PROPOSED GENERAL ORDER ON HARBOR POLICE.  
(COPIES SENT TO EMPLOYEE ORGANIZATIONS)-CONTINUED  
TO JUNE 6th.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins





AMENDING PART II, CHAPTER VIII, (POLICE CODE) BY  
ADDING SECTION 790.16 THEREOF, RELATING TO THE  
SUSPENSION AND REVOCATION OF PERMITS FOR THE OP-  
ERATION OF ADULT THEATERS.

Commissioner Ciani, after having several of her questions answered by Mr. Robert Byrne, Legal Office and Deputy Chief Mario Amoroso, on the amending of this Section, stated that although there is a due process hearing there isn't really anything in the law that restrains the department's discretion to revoke a permit just because there was some incident that the owner of the Theater might not have known about or had any opportunity to control. She said there appears to be a pattern of drafting overly-broad ordinances which put a heavy burden on enforcing personnel to be diligent in recognizing people's rights that aren't expressed in the law. She suggested that as public officials the Commission has a duty to pay appropriate regard to constitutional principles in drafting or approving such ordinances so that it will not be necessary for citizens to bring costly lawsuits to challenge their constitutionality.

Deputy Chief Amoroso stated that before a revocation comes up the case is researched by the Vice Division and that every case that has come before him as a Hearing Officer with his subsequent recommendation to the Chief is usually not a single incident. He said there are arrest reports and it is totally buttressed not only by more than one incident, but many incidents.

Commissioner Ciani stated that she would write a letter to the City Attorney expressing her reservations and recommendations amending this Section of the Police Code.

RESOLUTION NO. 304-79

AMENDING PART II, CHAPTER VIII, (POLICE CODE) BY  
ADDING SECTION 790.16 THEREOF, RELATING TO THE SUS-  
PENSION AND REVOCATION OF PERMITS FOR THE OPERATION  
OF ADULT THEATERS.

WHEREAS, Section 791.17 Municipal Police Code has recently been enacted specifying grounds for revocation of adult bookstore/theaters permits; and

WHEREAS, said section does not apply to adult theaters which had permits issued under Section 790 et seq.MPC and were operating on March 9, 1979; and





WHEREAS, it is desirable that the same grounds for revocation apply to all adult theaters; therefore be it

RESOLVED, that the Police Commission hereby requests the Board of Supervisors of the City and County of San Francisco to adopt the ordinance establishing the grounds for revocation of permits issued under Section 790 et seq. PMC, subject however to drafting recommendations to be submitted with the ordinance as transmitted to the City Attorney.

(Copy on file in the Police Commission Office)

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

REQUEST FOR A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$21,380.00 TO INSTALL 911 TELEPHONE EQUIPMENT.

Deputy Chief Amoroso gave the Commission an overview of this request for a supplemental appropriation. He stated that the Mayor wants to enter into a contract, a firm contract with the Telephone Company, and the State will only fund certain basic 911 features. He said the switchhook option and the ring-back option will not be funded by the State of California, so to get the firm contract underway, and signed, the Mayor needs an extra \$21,000 to put it all together into a work order to get the procedures started.

He said the telephone equipment will be purchased by the State, and the basic 911 electronics, the consoles, the various pieces of equipment that the Department will need, will all have to be purchased by the Department and those items are already in the 79/80 budget request.

He said the Department is doing its part to be ready to accept this new equipment. He said the eventual plan is to have an Emergency Operation Center that would have the Fire, Police and Ambulance Units all co-located together with one common telephone answering system with separate dispatching systems all in one location up at Twin Peaks.

RESOLUTION NO. 300-79

REQUEST FOR A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$21,380.00 TO INSTALL 911 TELEPHONE EQUIPMENT.

RESOLVED, that the Police Commission



hereby approves a Request for a Supplemental Appropriation in the amount of \$21,380.00 for the purpose of installing switchhook status and ringback features in San Francisco's 911 Emergency Telephone Number System Equipment for the Communications Division of the Support Services Bureau.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

REQUEST FOR A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$5,486.00 TO RECLASSIFY ONE VACANT POSITION OF Q80 CAPTAIN TO ONE POSITION OF 0488 COMMANDER.

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Chief Gain stated that what the Department is endeavoring to do with this budget request is to acquire that third position of Commander. He said that it was previously approved as a budget item by the Commission but when the budget squeeze came the position had to be deleted. He said the Department had been asking for total funding of the Commander's position but what is being done here is that one vacant captain's position and salary with an additional increment of \$836 per month will be amalgamated to fund the Commander's position.

He continued by saying that this would allow the Department to have a Commander still in charge of Traffic and two Commanders under Deputy Chief Mullen in Patrol. He said one would be in charge of one half of the City and the other would take the other half, giving better direction and control and free Chief Mullen from many routine administrative task and allow for a much more effective operation.

RESOLUTION NO. 301-79

REQUEST FOR A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$5,486.00 TO RECLASSIFY ONE VACANT POSITION OF Q80 CAPTAIN TO ONE POSITION OF 0488 COMMANDER.

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RESOLVED, that the Police Commission hereby approves the Request for a Supplemental Appropriation which will reclassify one vacant position of Q80 Captain to one position of 0488 Commander.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins





At this time Commissioner Siggins asked the Chief to comment about the San Francisco International Airport Captain's position previously filled by this department and titled as Chief of San Francisco Airport Police.

The Chief stated that what happened was that the Airport Commission determined that they would hire their own Chief of Police for the Airport. So instead of having a San Francisco Police Captain as Chief of Police, they would get someone from the San Mateo Sheriff's Department. He said, now the Under Sheriff of the San Mateo County Sheriff's Department has assumed the position of Chief of Police of the Airport Police. He said Captain Dempsey, who previously had the job, is now on disability and it is anticipated that he will retire.

He further stated that this department will no longer have that Captain's position as of July 1, 1979, as the funding for that position which has been coming from the San Francisco Airport Commission will end.

RESOLUTION NO. 302-79

POLICE OFFICER BRUCE BUSHNER - SUPPORT SERVICES  
BUREAU - COMMUNICATIONS.

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Bruce Bushner Support Services Bureau, Communications, as follows:

SPECIFICATION NO. 1

Inability to Perform Duties of Police Officer. (Violation of Section 2.01 of the Rules and Procedures of the San Francisco Police Department.)

by Charles R. Gain, Chief of Police; therefore be it

RESOLVED, that the setting of the date for the hearing before the Police Commission on charges filed against Police Officer Bruce Bushner, Support Services Bureau, Communications, be, and the same is hereby set for Wednesday, May 9, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins





RESOLUTION NO. 303-79

SETTING OF THE DATE FOR THE HEARING OF POLICE  
OFFICER KATHERINE ANDERSON, PARK POLICE STATION

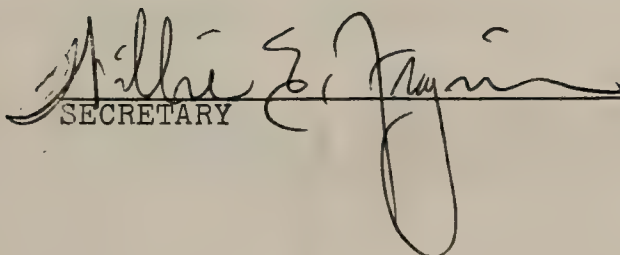
WHEREAS, the setting of the date for the hearing of disciplinary charges filed against Police Officer Katherine Anderson, Park Police Station, was called; and

WHEREAS, Police Officer Katherine Anderson stated that she has just obtained new counsel for her defense, Alice Beasley, 15 Geary Street, and she was requesting that Wednesday, May 23, 1979, be set as the date for Officer Anderson's hearing; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Katherine Anderson, Park Police Station, is Wednesday, May 23, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

The Commission then adjourned its meeting  
at 1940 hours.

  
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SECRETARY



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9 MAY 1979

REGULAR MEETING

*7 minutes*  
The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, May 9, 1979 at 1730 hours in regular session.

PRESENT: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

Commissioner Siggins presiding.

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

2265 BROADWAY - 2265 BROADWAY APARTMENTS

- a) At 2265 Broadway, install a 15' white zone, extending between driveways.

2151 BRYANT STREET - 2151 BRYANT WOOD WORKS

- a) At 2151 Bryant Street, install a 22' yellow zone, extending from 78' to 100' north of south property line.

1960 NORIEGA - STATE FARM INSURANCE

- a) At 1960 Noriega, install a 22' green zone, extending from 14' to 36' east of west property line.

1521 HYDE STREET - SANG FAT CO.

- a) At 1521 Hyde Street, revoke existing 30' yellow zone, extending south of the north building line.



1300 POWELL STREET - CHUCK LEE'S MARKET -DENIED

- a) At 1300 Powell Street, install a 22' yellow zone, extending from east property line 22' west of same. DENIED.
- b) Remove meter #1300. DENIED.

440 EDDY STREET - HOTEL JEFFERSON

- a) At 440 Eddy Street, install a 23' white zone, extending from 18' to 41' west of east property line.

APPROXIMATELY 57 JESSIE STREET - GOLDEN GATE UNIVERSITY

- a) At approximately 57 Jessie Street, install a 13' red zone, extending from 31' to 44' west of east property line.

APPROXIMATELY 67 JESSIE STREET - GOLDEN GATE UNIVERSITY

- a) At approximately 67 Jessie Street, install a 20' red zone, extending from 54' to 74' east of west property line.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 30 feet of yellow zone, at the part of the City, at the location submitted, be, and the same is hereby approved.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 308-79

MARY CHIDESTER-BOROVITZ AND HER ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Mary





Chidester-Borovitz and her attorney in the sum of \$4,000.00 in Superior Court Action No. 694-787 entitled "Mary Chidester-Borovitz and her attorney v. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 27, 1975

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 309-79

LESLIE RYANT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Leslie Ryant against the City and County of San Francisco in the sum of \$295.22 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: February 19, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 310-79

EUGENE BROOKS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Eugene Brooks against the City and County of San Francisco in the sum of \$63.22 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 6, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins



RESOLUTION NO. 311-79

JOHN REITER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John Reiter against the City and County of San Francisco in the sum of \$50.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 3, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 312-79

JOHN LEE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John Lee against the City and County of San Francisco in the sum of \$25.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 23, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 313-79

MYRNA L. PADILLA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Myrna L. Padilla against the City and County of San Francisco in the sum of \$25.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 25, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins



RESOLUTION NO. 314-79

LEONARDO J. VACCHINA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Leonardo J. Vacchina against the City and County of San Francisco in the sum of \$22.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 30, 1978

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 315-79

FRANK J. MANNION

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Frank J. Mannion against the City and County of San Francisco in the sum of \$11.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 12, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 316-79

AUTHORIZING ATTENDANCE OF LIEUTENANT DANIEL J. MURPHY, INTELLIGENCE UNIT, AT THE SENIOR EXECUTIVE INTERNATIONAL TERRORISM SEMINAR IN PASADENA, CALIFORNIA, FROM MAY 30, 1979 TO JUNE 1, 1979, INCLUSIVE.

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RESOLVED, that the recommendation of the Chief of Police that Lieutenant Daniel J. Murphy, Intelligence Unit, be detailed to attend the Senior Executive International Terrorism Seminar in Pasadena, California, from May 30, 1979 to June 1, 1979, inclusive, be, and the same is





hereby approved; and be it further

RESOLVED, that the expenses incurred by Lieutenant Daniel J. Murphy, Intelligence Unit, in a sum not to exceed \$224.00, will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 307-79

AUTHORIZING ATTENDANCE OF DEPUTY CHIEF MARIO AMOROSO, SUPPORT SERVICES BUREAU, AT THE 911 NATIONAL CONFERENCE AT MINNEAPOLIS, MINNESOTA, FROM MAY 16, 1979 TO MAY 18, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Deputy Chief Mario Amoroso, Support Services Bureau, be detailed to attend the 911 National Conference at Minneapolis, Minnesota, from May 16, 1979 to May 18, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Deputy Chief Mario Amoroso, Support Services Bureau, in a sum not to exceed \$466.00, will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 317-79

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Sergeant Jerry D. Belfield)	\$257.20	(At the Specialized
Intelligence Unit )	each	(Surveillance Equip-
)		(ment Course at Santa
Police Officer Sandra Daly)		(Cruz, California, from
Intelligence Unit )		(April 15, 1979 to
		(April 20, 1979, in-
		(clusive.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins



RESOLUTION NO. 318-79

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Assistant Inspector Louis Liguori, Intelligence Unit	)	\$312.00 each	(At the Advanced Terrorism Analysis Course at San Luis Obispo, California, from April 22, 1979 to April 27, 1979, inclusive.
Sergeant Robert Hulsey Intelligence Unit	)		

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 319-79

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Lieutenant Sol P. Weiner Support Services-Warrant Section	)	\$20.50 each	(At the California Warrant Seminar at Santa Rosa, California, on April 27, 1979, inclusive.
Police Officer Roger Hugo Support Services-Warrant Section	)		

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 305-79

AUTHORIZING ATTENDANCE OF TRAINING CONSULTANT DR. MIMI H. SILBERT, LIEUTENANT RICHARD D. KLAPP AND SERGEANT MICHAEL S. HEBEL, PERSONNEL AND TRAINING, AT THE BASIC COURSE REVISION CONSORTIUM WORKSHOP





AT SAN DIEGO, CALIFORNIA, FROM MAY 17, 1979 TO  
MAY 18, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Training Consultant Dr. Mimi H. Silbert, Lieutenant Richard D. Klapp and Sergeant Michael S. Hebel, Personnel and Training, be detailed to attend the Basic course Revision Consortium Workshop at San Diego, California, from May 17, 1979 to May 18, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Training Consultant Dr. Mimi H. Silbert, Lieutenant Richard D. Klapp and Sergeant Michael S. Hebel, Personnel and Training, in a sum not to exceed \$172.00 each, will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 306-79

AUTHORIZING ATTENDANCE OF ASSISTANT CRIMINALIST  
BRUCE FUKAYAMA, CRIME LABORATORY, AT THE CRIMINAL-  
ISTICS WORKSHOP IN SAN DIEGO, CALIFORNIA, FROM MAY  
9, 1979 TO MAY 12, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Assistant Criminalist Bruce Fukayama, Crime Laboratory, be detailed to attend the Criminalistics Workshop in San Diego, California, from May 9, 1979 to May 12, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Assistant Criminalist Bruce Fukayama, Crime Laboratory, in a sum not to exceed \$293.00, will be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

The members of the Commission, having received, amended and returned copies of the minutes of the meetings of March 28, 1979 and April 4, 1979, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins





CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain presented no report to the Commission at this time.

REQUEST OF MRS. MARIAN MILLER TO ADDRESS THE POLICE COMMISSION

Mrs. Marian Miller appeared before the Commission and stated that on April 20th she wrote a letter to the Police Commission asking for a hearing on some specific complaints and grievances she had with the Park Police Station. She said the complaints stemmed from her acquaintance with a person named Mark Richardson. She stated that on August 23, 1978, she was in Lake Tahoe with her mother when she received two phone calls advising her to return home immediately because there were 15 men involved in an orgy which was taking place in her home. She stated that when she arrived, an orgy was, in fact, occurring, and she immediately notified the police at Park Station but got no response. She stated that it then became incumbent upon her to get rid of Mark Richardson, who was an employee of hers, and the other men who were present and committing the lewd acts in her home. She said subsequently on September 6, Richardson returned to her home and stole cash and then left a mess on her bed to let her know that it was he who had committed the act. She stated that the Police responded but nothing was done. She stated that on October 25, 1978, she was forced into her own car at Hayes and Laguna by 5 black men who stated that she was their taxi driver for the evening. She said she was forced to drive all over town, picking up and delivering dope and along the way at about 3:30 s.m., near the corner of Steiner and Hayes she saw an occupied parked police car. She said she almost ran into it but stopped and opened the door so that they could see her with the men, hoping they would investigate. But, she said, they turned on their lights and they drove away. She said the men, who had her in custody, then stated that that is the reason they did this kind of thing every night because nothing ever happened to them. She said the men then robbed her and when she got home she notified the police, told them what had occurred and where the suspects lived. She said she asked to look at mug shots but was not allowed to do so. She said since October Mark Richardson has broken into her house many times. She said on April 27th of this year, Inspector Leon telephoned her and told her that a Patrol Vehicle would cover her block starting the following Monday morning. However, she said, the Patrol Vehicle was not in this area on that Monday morning because that is when Mark Richardson entered her house with an accomplice and held her and another person named David Whettling as hostages. She said she had to telephone the Bank and authorize David Whettling



to withdraw \$5,000 from her account. David, she said, upon being released at the bank telephoned the police and said that she was being held hostage at her house. She stated that when Richardson received a phone call from his accomplice, informing that he had the cash, Richardson ran out of the house and she ran after him but was unable to catch him. She said the police told David Whettling none of these matters were taken seriously because she was considered to be an "800" (alleged insane person).

Chief Gain then stated that he had three Department representatives to respond to Mrs. Miller's grievances. He said they are Captain Robert Mucci, Commanding Officer of Park Station, Inspectors Rich Leon and Tim Casey.

Captain Mucci stated that he had gone through the Station's Log Book going back as far as September 1978, and it revealed that Park Station officers were called to Mrs. Miller's address three times on burglary complaints. He said Mark Richardson was named as a suspect in all three cases. He said reports were made and on two of the incidents where Inspector Leon was assigned. He said the reason they were not able to make a case against Richardson is because when the Crime Lab went out they were not able to obtain evidence to implicate Richardson as being the perpetrator. He said in this last incident of April 30th, 1979, the Department has made a case against Richardson and there is a warrant out for his arrest. He stated that one other thing he noted while searching the Log Book was that the Officers responded, took reports, and returned to service within a half hour of all of these incidents.

Inspector Casey stated that on April 30th he received a phone call from #1 Raycliff Terrace. He said he contacted Mrs. Miller and she explained to him in more detail what had happened. He said the next morning he took some mug shots over to Mrs. Miller and she identified the suspect, Mark Richardson. He said he then went to the District Attorney's Office and discussed all of the facts of the case and obtained a warrant of arrest for Mark Richardson on charges of kidnapping, false imprisonment and robbery. He said bail was set at \$25,000.00. He said he then checked Richardson's past residences, one of which was on California Street, and that he had left without paying his rent. He said he checked another residence on Stockton Street and learned that he was thrown out of there because of lewd and lascivious conduct. He said he then found out that Richardson had an automobile and that he had not made any payments to the legal owner since January. He said he had gotten the license number along with a complete description of the car and put out all All Points Bulletin for Richardson and the automobile. He said he had contacted Richardson's father to see if he could tell him where to locate him. Richardson's father told the Inspector that the suspect had lived with him up until a





month ago but he has not seen him since. However, said Inspector Casey, Richardson's father promised to cooperate by notifying the Inspector right away should Richardson's whereabouts become known to him. Inspector Casey stated that he was doing everything he could to apprehend the suspect and that he would like to apprehend him as much as the victim would like for him to be apprehended.

Commissioner Murphy stated to Mrs. Miller that the Commission and the Department is very regretful that she has had this terrible experience time after time. She said the Department does have some basis now for arresting this man and he will eventually be apprehended.

Commissioner Ciani, after further discussion, stated to Mrs. Miller that she had been very patient and restrained in her presentation and she (Commissioner Ciani) appreciated that because she knew how she must feel. She continued by saying that she hoped Mrs. Miller will be satisfied from here on with the Department's response.

PROPOSED AMENDMENT TO THE ESCORT SERVICE ORDINANCE APPROVED BY THE POLICE COMMISSION ON APRIL 4, 1979.

Mr. Byrne of the Legal Office stated that this Ordinance was approved by the Commission on April 4, 1979, and thereafter Sergeant Calabro of the Department's Permit Bureau, upon reviewing it, requested a couple of changes. He said the changes are providing for an Annual License fee rather than just a one time Permit fee and, secondly, to make it clear that this Ordinance would apply to Escort Services Headquartered in another county who would be performing the services in the City and County of San Francisco.

Commissioner Murphy stated that she had received several calls on this and the Ordinance that the Commission sent to the City Attorney two weeks ago about the permits for Porno Theatres and she would request the Commission to ask the Legal Office to bring those Ordinances back to the Commission after the City Attorney has approved them as to content and form.

Commissioner Ciani stated that she has raised the same questions on both those Ordinances as to the possibility of both being overly broad. She said it was the same observation she also made about the Athletic Events Ordinance and that she had been in touch with the City Attorney on that one and is doing research and will draft a letter to send with the other Ordinance on Adult Theatres to the City Attorney. She said she has discerned a pattern of drafting, what seem to be over-broad ordinances which are possibly subject to abuse in enforcement. She stated she did





not know why this seems to be a developing pattern but that the Commission, as public officials, should be doing more in the first instance to be sure that the Department is not preparing legislation that is too broad so that the only way it can be corrected is for somebody to have to go through the process of litigation to attack something that the Commission might have been able to prevent being overly broad in the first place.

She then made a motion to send the proposed amendments to the Escort Service Ordinance and the Adult Theatre Ordinance to the City Attorney with an explanation of the Commission's concerns and request he advise the Commission on the possibility of constitutional overbreadth and that the amendments be revised and returned to the Commission before being sent to the Board of Supervisors.

Commissioner Murphy seconded the motion and it was unanimously approved.

RESOLUTION NO. 343-79

PROPOSED AMENDMENT TO THE ESCORT SERVICE ORDINANCE  
APPROVED BY THE POLICE COMMISSION ON APRIL 4, 1979.  
(RESOLUTION NO. 230-79)

WHEREAS, on April 4, 1979, the Police Commission approved by way of resolution a proposed ordinance adding Article 15.6 to the San Francisco Municipal Police code, establishing regulations for escort services; and

WHEREAS, certain changes are needed to Sections 1074.5 and 1074.6 of the proposed ordinance; therefore be it

RESOLVED, that Section 1074.5 of the proposed ordinance be changed to read:

Section 1074.5: Employee Permit Required.

"It shall be unlawful for any escort or other employee to work in or about an Escort Service in the City and County of San Francisco, or to perform any services in the City and County of San Francisco for a customer of an Escort Service wherever



located without first securing a permit from the Chief of Police."; and  
be it

RESOLVED FURTHER, that Section 1074.6  
of the proposed ordinance be changed to read:

Section 1074.6: Employee Permit.

"Every person desiring an Employee Permit shall file an application with the Chief of Police and pay a filing fee of \$20.00 which shall not be refundable and shall pay to the Tax Collector a license fee of \$10.00 annually, payable in advance. Every person now working as an escort or employee shall file for a permit within 30 days of the effective date of this Article."

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

REQUESTING APPROVAL OF PROPOSED GENERAL ORDER  
ESTABLISHING (CODE3) DRIVING REGULATIONS AND  
PROCEDURES. (CONTINUED FROM APRIL 18, 1979)  
CONTINUED FOR ONE (1) MONTH.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 320-79

POLICE OFFICER DONALD J. WEISS

WHEREAS, reports have been received from the Chief of Police Charles R. Gain describing the illness and physical impairment of Police Officer Donald J. Weiss; and

WHEREAS, contained in this report is a recommendation from Dr. Norman Steiner, the Police Surgeon, stating that Officer Weiss should be separated from the department; and

WHEREAS, Officer Donald J. Weiss has served over ten years in the department and is





eligible for pension benefits under Section 8.547 of the Charter of the City and County of San Francisco; and

WHEREAS, under the provisions of Section 8.547 of the Charter, the Police Commission is authorized to petition the Retirement Board to retire members who are mentally and physically unfit; therefore be it

RESOLVED, that in compliance with the provisions of Section 8.547 of the Charter of the City and County of San Francisco, the Police Commission does hereby recommend to the Employee's Retirement System that Officer Donald J. Weiss be retired from the San Francisco Police Department.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

REQUESTING APPROVAL OF THE POLICE COMMISSION BY ASSISTANT PATROL SPECIAL OFFICER VICTOR TORRES #2604 AND MRS. ERMA JEWETT TO SELL PATROL SPECIAL BEAT #46 TO ASSISTANT PATROL SPECIAL OFFICER RALPH C. LACY #2673.

---

Mr. Lawrence Wilson stated that Mr. Berg representing Mrs. Jewett is here and Mr. Lacy is here with his attorney, Mr. Frank King and Officer Wassil Rolovich, Officer-in-Charge of Patrol Special Officers is here. He said Mr. Torres is in the hospital and his attorney couldn't be present, but all of the parties have signed the necessary legal documents which the Commission has. He said Mr. Lacy can be sworn in as a Patrol Special Officer for this Beat tomorrow with the appropriate vote.

The Commission then approved the sale.

Commissioner Siggins then stated that the Commission has been assured that the Commission does not have any other beats that are in this state of limbo.

RESOLUTION NO. 321-79

APPOINTMENT OF PATROL SPECIAL OFFICER RALPH C. LACY FOR PATROL SPECIAL BEAT NO. 46, CENTRAL POLICE DISTRICT - APPROVED

---

WHEREAS, Assistant Patrol Special Officer





Victor Torres and Mrs. Erma Jewett each claim an interest in San Francisco Police Department Beat No. 46; and

WHEREAS, Assistant Patrol Special Officer Victor Torres and Mrs. Erma Jewett have each made such claim before the Police Commission, Mrs. Jewett by virtue of the fact that the beat was awarded to her in a divorce settlement agreement and Officer Torres by his claim that Mrs. Jewett's husband, former beat owner, owed him a stipulated sum of money while working Beat No. 46; and

WHEREAS, Officer Torres and Mrs. Jewett have agreed to, and stipulated before the meeting of the Police Commission to sell Beat No. 46, Central Police District, to a qualified buyer and divide the proceeds 60% to Patrol Special Officer Victor Torres and 40% to Mrs. Erma Jewett; and

WHEREAS, Mr. Ralph C. Lacy has been selected and agreed upon as a legitimate purchaser of Beat No. 46, Central Police District, and has met all the qualifications necessary to become a Patrol Special Officer for Beat No. 46; therefore be it

RESOLVED, that Ralph C. Lacy, be, and he is hereby appointed a Patrol Special Officer for Beat No. 46, Central Police District; said appointment effective May 9, 1979, he having purchased Beat No. 46, Central Police District, from Assistant Patrol Special Officer Victor Torres and Mrs. Erma Jewett.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 322-79

LEAVE OF ABSENCE WITHOUT PAY PENDING HEARING OF  
CHARGES - APPROVED

WHEREAS, Police Officer Eddy L. Castiglioni, Personnel and Training, was suspended without pay effective 1600 hours, Monday, March 5, 1979, pending hearing of charges before the Police Commission; and

WHEREAS, Police Officer Eddy L. Castiglioni, Personnel and Training, has requested a Leave of Absence Without Pay pending hearing of the charges before the Police Commission; therefore be it

RESOLVED, that Police Officer Eddy L. Castiglioni, Personnel and Training, be placed



on a Leave of Absence Without Pay at his request for a period of ninety (90) days commencing Monday, March 5, 1979, until his hearing is held before the Police Commission.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 323-79

POLICE OFFICER MICHAEL KELLY, VICE CRIMES DIVISION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Michael Kelly, Vice Crimes Division, as follows:

SPECIFICATION NO. 1

Conduct Unbecoming an Officer.  
(Violation of Section 2.13 of the Rules and Procedures of San Francisco Police Department.)

SPECIFICATION NO. 2

Use of Excessive Force on Another Without Lawful Justification. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Use of Excessive Force on Another Without Lawful Justification. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 4

Failure to Answer Truthfully Questions Propounded. (Violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department.)

by Charles R. Gain, Chief of Police; therefore be it





RESOLVED, that the date for the hearing before the Police Commission on charges filed against Police Officer Michael Kelly, Vice Crimes Division, be, and the same is hereby set for Wednesday, August 8, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 321-79

SETTING OF THE DATE FOR THE HEARING OF POLICE OFFICER BRUCE BUSHNER, COMMUNICATIONS DIVISION

WHEREAS, the setting of the date for the hearing of disciplinary charges filed against Police Officer Bruce Bushner, Communications Division, was called; and

WHEREAS, Mr. Robert Byrne stated that charges were served on Officer Bushner by Sergeant John Minoli, who is basically concerned with the medical problems of the Officer and an attempt was made to contact Sergeant Minoli to find out what his contact with Officer Bushner has been and since he was unable to do so, he was requesting it be continued for one week for setting of a date for hearing; therefore be it

RESOLVED, that the setting of the date for the hearing of disciplinary charges filed against Police Officer Bruce Bushner, Communications Division, is Wednesday, May 16, 1979, at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 324-79

DATE TO BE SET FOR THE HEARING OF POLICE OFFICER DANIEL MARR, COMMUNICATIONS DIVISION.

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Daniel Marr, Communications Division, was called; and





WHEREAS, it was requested by Mr. Stephen Bruce Bley, attorney for Police Officer Daniel Marr, that because of criminal charges pending against Police Officer Daniel Marr, he was requesting that Officer Marr's disciplinary charges before the Police Commission be set for August 8, 1979; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Daniel Marr, Communications Division, is set for Wednesday, August 8, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 325-79

POLICE OFFICER ROBERT COLMAN, SOUTHERN POLICE STATION

WHEREAS, on Thursday, March 15, 1979, Charles R. Gain, Chief of Police, made and served charges against Police Officer Robert Colman, as follows:

SPECIFICATION NO. 1

Conduct Unbecoming an Officer Which Reflects Discredit Upon the Department. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Failure to Obey a Lawful Order. (Violation of Section 2.45 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Failure to be Respectful to a Superior Officer. (Violation of Section 2.33 of the Rules and Procedures of the San Francisco Police Department.)



SPECIFICATION NO. 4

Being Under the Influence of Intoxicating Liquor so as to be Unable to Perform Police Functions. (Violation of Section 2.125 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 5

Failure to Obey a Lawful Order. (Violation of Section 2.45 of the Rules and Procedures of the San Francisco Police Department.)

and

WHEREAS, Wednesday, May 9, 1979, was set for the hearing of the charges before the Police Commission for Police Officer Robert Colman, Southern Police Station; and

WHEREAS, Chief of Police Charles R. Gain announced that the Police Department was in receipt of an application filed by Police Officer Robert Colman with the Employees' Retirement Board, said application being a Notification of Intent to Retire for Disability, effective April 1, 1979, which is accepted with the condition that the services of Police Officer Robert Colman, have been unsatisfactory and that he does not retire in good standing; therefore be it

RESOLVED, that the charges of violating the Rules and Procedures of the San Francisco Police Department filed against Police Officer Robert Colman, be, and the same hereby continued off calendar.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

HEARING OF POLICE OFFICER NELSON LUM, CENTRAL POLICE STATION.

The hearing of Police Officer Nelson Lum, Central Police Station, was called, it having



been set for this date. Police Officer Nelson Lum was charged with violating the Rules and Procedures, as follows:

SPECIFICATION NO. 1

Failure to Answer Truthfully and Without Evasion. (Violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department.)

in a properly verified complaint by Charles R. Gain, Chief of Police of the San Francisco Police Department.

Police Officer Nelson Lum appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Lawrence Wilson, Attorney at Law, appeared as the Prosecutor for the Police Department.

The reading of the Charges was waived.

Police Officer Nelson Lum, entered, through his attorney, a plea of "Not guilty" to the charges against him.

An opening statement was made by Mr. Lawrence Wilson, Prosecuting Attorney.

The following-named witnesses were called by the Prosecution, sworn and testified:

Chris Ferry  
5522 San Benito  
Richmond, California

Pat Duffy  
735 Peralta  
Berkeley, California

The following Exhibit was entered into Evidence by the Prosecution:

Exhibit No. 1 - Two 5-1/4" x 3-1/2" color photos of head and upper torso of Christopher Ferry.





The Commission then adjourned at 2104 hours, and the matter was continued to Wednesday, May 30, 1979, at 1730 hours, in Room 551, Hall of Justice.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

HEARING OF POLICE OFFICER FRANCIS J. MURPHY,  
CENTRAL POLICE STATION

The hearing of Police Officer Francis J. Murphy, Central Police Station, was called, it having been set for this date. Police Officer Francis J. Murphy was charged with violating the Rules and Procedures, as follows:

SPECIFICATION NO. 1

Striking a Prisoner Without Lawful Cause or Excuse. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Failure to Answer Truthfully and Without Evasion Questions Pro-pounded. (Violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department.)

in a properly verified complaint by Charles R. Gain, Chief of Police of the San Francisco Police Department.

Police Officer Francis J. Murphy appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Lawrence Wilson, Attorney at Law, appeared as the Prosecutor for the Police Department.



The reading of the Charges was waived.

Police Officer Francis J. Murphy, entered, through his attorney, a plea of "not guilty" to the charges against him.

An opening statement was made by Mr. Lawrence Wilson, Prosecuting Attorney.

The following-named witnesses were called by the Prosecution, sworn and testified:

Christopher Ferry  
5522 San Benito  
Richmond, California

Pat Duffy  
735 Peralta  
Berkeley, California

The following Exhibit was entered into Evidence by the Prosecution:

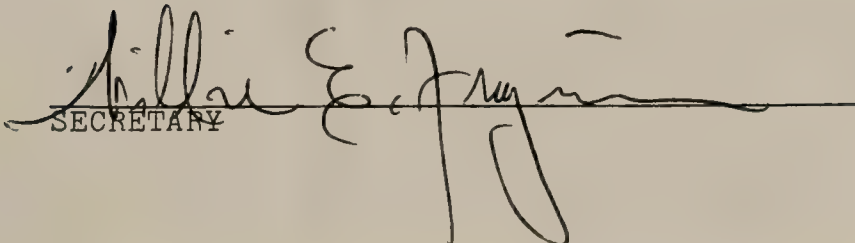
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(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

The Commission then adjourned its meeting at 2104 hours.

  
SECRETARY



14 MAY 1979

SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in the 6th floor Auditorium, in the Hall of Justice, 850 Bryant Street, on Monday, May 14, 1979 at 1730 hours in Special Session.

PRESENT: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

Commissioner Siggins presiding.

MAY 17 1979

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PUBLIC HEARING ON APPLICATIONS TO DETERMINE PUBLIC CONVENIENCE AND NECESSITY FOR THE ISSUANCE OF VEHICLE FOR HIRE PERMITS.

Lieutenant Frazier: "The meeting is just about to begin. We have here tonight sign-up cards for people who are, who want to indicate whether they are pro or against the issuance of this.

It will be entirely up to the President of the Commission to either allow people to speak after he has heard testimony from applicants or their representatives, but it's going to be up to the President of the Commission to control the meeting and also plot the amount of time for each person to speak.

Mr. President."

President Siggins: "All right. The public convenience and necessity hearing for consideration of applications will now start.

The rules are set out as follows: Applicants will be called in the order of receipt by the Department of their original written indication of interest in obtaining a permit. You have been notified on the side of this room with a card that says that order.

We'd like to ask applicants at the outset to avoid, if you will, cumulative statements and we'd like to rigidly enforce that.

If you adopt some statements that are presented earlier, we'd like to hear that but we don't have to hear them time and time again.





Each applicant will be given a specific limit for making his or her presentation. We shall limit it to ten minutes, unless the Chair rules otherwise.

There are 228 applications and most of the applicants have indicated that they wish to speak. As an exception to the above, Attorney Don Costello, who represents 23 applicants, will be given a longer period if he so desires, so long as he is making the presentation on behalf of all of his clients.

We will call Mr. Costello at the beginning because one of his clients is No. 1 on the calendar, Mr. James Dodds.

It has been pointed out to the Commission that some persons have applied for permits who already have permits. It is the ruling of the City Attorney that under Proposition K, he or she who already has a permit may not have another permit. So, these persons should not be allowed to speak and they will be indicated on the calendar.

We anticipate that we will take a recess after all the applicants have spoken and at that time if time permits, we will allow those persons who wish to speak in opposition to the new permits and Lieutenant Frazier will handle the sign-up sheet for that.

Depending on the time limits that will be in force and our projection of the time limits of our own capacity to absorb what is being said, we might have to put it over to another hearing.

We have with us tonight staff of the police department who we will be directing to prepare for us a written report at some time after we have heard this testimony.

So, may we start with the first applicant, and it's No. 1, James Dodds. As I understand it, he is represented by Mr. Donald Costello."

Commissioner Sanchez: "I'd like to ask a procedural question so I can understand how we are going to proceed.

In, I think, fairness to the many people here this evening, not being very good at math, in



allowing ten minutes per applicant--and we have what, over 200 -- we are really talking about a great deal of time to hear those who are speaking for the applications and then after, I guess we are going to take a recess and have those speaking against the issuance of the applications and then after that, we are going to have the staff present their findings and reports so far as what they have been doing and then after that we are going to take a vote of the Commission on the issuance of one through whatever the number is-- or are we going to perhaps set up a time limit whereby this first hearing might stop at such and such a time and have a second hearing where basically we could have the others come and talk and at that time the staff could give its report?

If we don't, I think we are going to get bogged down. If we are going to vote on each one as they come up or sit and listen and take notes and ask staff questions after all of these people or do what?

All of us seem sort of confused. I'd like a little clarification, Mr. Chairman."

President Siggins: "Well, the problem is, we didn't want to put any constraints on someone to get their ideas across and I thought they could get through in ten minutes. We have had other public meetings where some people have moved along and just adopted some earlier testimony or earlier recommendations and we find that some take one or two minutes and some don't even take that long.

So. I thought we would --

Commissioner Toler: "May I ask a question: Does everyone have to speak?"

President Siggins: "No, everyone doesn't have to speak. We have the written applications right before us. Each of the Commissioners have a copy of each of the applications, written applications."

Commissioner Sanchez: "Just one more question: The people speaking, therefore, presently are those speaking to the idea of the fact that this Commission should be issuing more permits, correct; we are talking like each application --"

President Siggins: "That's correct."



Commissioner Sanchez: "--One through whatever and voting on each one as it comes up, because we still don't know what the findings are, we haven't heard from both sides.

Okay. I understand."

President Siggins: "That's correct."

Commissioner Sanchez: "Thank you."

President Siggins: "Do you want to proceed, Mr. Costello?"

Mr. Donald Costello: "My name is Donald Costello and I am an attorney representing 18 applicants. Originally I figured 23. We are now at 18 and it is my understanding that the Secretary of the Commission has the names of who they are.

I may just indicate that those persons are: Milburn Boaz, William Byrnes, Bryan Coop, James Dodds, Ke Dong, Ying Hom, Jack Kelly, Arthur Lee, John Maldonado, Pat McMahon, James Mines, James Moore, Jack Pilossoph, Willie Ramsey, Herb Rush, Lloyd Small, Arnold Vance, James Bacardes.

Each of those 18 individuals is a member of the San Francisco Association of Taxi Drivers, which I will be referring each of them does waive their right to a further oral presentation beyond this one.

In preparing for the hearing tonight, I spoke with the Commissioners, the Commission's attorney, Mr. Byrne, and advised him that I originally anticipated presenting a packet of materials and exhibits to each of the Commissioners prior to tonight for their review.

Mr. Byrnes and I agree that we both preferred to present our information at first impression this evening and have everything start with a blank slate tonight. Therefore, I have seven copies for the Commissioners and the Chief's office and secretary's office of a document entitled "Memorandum and Exhibits in Support of Taxi Cab Permit Applications."

In reviewing this over, I imagine the coming weeks of this hearing procedure, it incorporated our basic arguments and supporting theories, why more permits should be issued, and also incorporated a number of exhibits that I feel will be helpful to you and





probably state along the process this evening and make my presentation this evening shorter than it otherwise would probably be.

I can give those to the secretary who can distribute those to you.

Following my presentation, which should not be really very lengthy, we have three or four individuals who are going to be speaking in support of our position. These are individuals who are community leaders from the senior community in San Francisco and after speaking again with Mr. Byrnes and with the secretary, Mr. Frazier, it is our understanding that it will be appropriate to have these people give their supporting comments, which will be rather brief, immediately following my comments.

Again, in considering the remarks of individuals speaking before you tonight and in the coming hearings, I'd ask that you give your most consideration to individuals who are not representatives of groups or drivers or cab companies who have invested interest in this matter, but rather the individuals who came down to speak on behalf of the citizen groups they represent."

(The full text of Mr. Costello's presentation is recorded in transcript form and on file in the Office of the Police Commission.)

He then called Mr. M. Z. Felhauer, San Francisco Commission on Aging, and others, 2-18, to give their remarks.

1. Mr. M. Z. Felhauer, Commission on Aging
2. Mr. I. T. Bookman, Commissioner on the Aging
3. Ms. Querida Mia Rivera
4. Doo Yong Rhee
5. Jose L. Bajada
6. Mahinder Singh
7. Thomas J. Cook
8. Howard Siegel
9. Charles R. Scheelke
10. Richard Wallace
11. Kyu Y, Chung



12. Cornelius P. Thomas
13. George Trad
14. Sean O'Falahee
15. Paul Kanstoroom
16. Jack G. Lim
17. Harry Joseph Horning
18. John Patrick Boyles

No. 3 through 18 and the following are all applicants for Vehicle for Hire Permits. Some chose to speak and some did not.

19. James R. Dodds
20. Brian Pendleton Coop
21. Cam Van Vo
22. John J. Maldonado, Sr.
23. Thomas Patrick Brosnan
24. Harold W. Lloyd
25. Anthony Gerald George
26. Victor Poy Woon
27. Daniel P. Smith
28. Richard T. Quigley
29. Jimmy Marez
30. William M. Byrnes
31. Peter Panos Berzaman
32. Miguel Angel Cardona
33. Roy Russell McCall
34. Theodore Eugene Gray
35. Patrick J. McMahon
36. Jack Pilossoph
37. Kenneth Y. K. Ho
38. John Bartholomea
39. Fernando A. Portal
40. Allen B. Gelder



41. Roosevelt Williams
42. Ruben A. Patricio
43. Joshua K. Pryor
44. Dennis T. Wong
45. Dan Charles Hinds
46. Romeo Shair-Ali
47. Ralph J. Maher
48. Harold Arthur Vance
49. King Hee Wong
50. Thomas Duncan
51. Kee Gok Dong
52. William L. Shook, Jr.
53. Gardner C. Hsu
54. J. Howard Kelley
55. James Varcados
56. Arthur Josue
57. Admassu Mekbeb
58. Joseph M. Venegas, Jr.
59. Allan D. Fishel
60. Richard E. DeCausemaker
61. James R. Bottorff
62. Wendell Cordes Farr
63. Matthew W. Busey
64. John W. Ma
65. Fred John Arkeder, Jr.
66. Joseph P. Warne
67. Gim F. Huey
68. Robert Manor
69. Joel C. Lipkins
70. Nick Hafiz
71. George Tong
72. Frankie Fook Leong





73. Michael John Kelley
74. Edwin K. Grenfell
75. Mun Hoy Lee
76. Roberto Valdez
77. Louis P. Bendana
78. Johnson C. H. Yun
79. Wing Dor Lee
80. James A. Maddox
81. Leonard Charles Ribeiro
82. Hae Kyoo Park
83. Eugene Yen
84. Joseph T. Wootton
85. Rafik A. Jajeh
86. John Damarco
87. Alfred Poon-Kiu Choy
88. Tai Hasegawa
89. Simon S. Prenovitz
90. Dan Y. Tober
91. William Joseph Correll
92. John Solidakis
93. Francisco J. Solorio
94. Joe Velasco Martinez
95. William W. Moy
96. Albert T. Ruiz
97. James Patrick Phelan
98. Anderson Hon Sang Seto
99. Glenn J. Dickson
100. Charles C. Gray
101. Frank Joseph Tripoli
102. Yee Hing Chiu
103. William Joseph Harjo
104. Grimson Jay



105. Kin Man Shum
106. Sandra Innes
107. Edgar Lloyd Norvell
108. Thomas John Simmoneau
109. John Stevenson Johnston
110. James R. Mines
111. Claude F. Kearns
112. Tony Chu
113. Henry Y. Chow
114. Gay Ho Keung Yee
115. James L. Houchins
116. Mohamed Elsayed
117. Sum M. Ong
118. Jesus Manuel Garcia
119. Frank Diamos
120. Thomas G. Mehrten
121. Keong-Tai Leung
122. York Y. Toler
123. Robert L. Griffin
124. Martin John Lavin
125. Rich Timberline
126. Kenneth D. Johnson
127. Lawrence Victor Russell
128. Robert J. Westermeyer
129. Franklin D. Hurley
130. Gilbert E. Padell
131. Margerite Eccles
132. Pharoah McGee
133. Richard W. Adams
134. Bruie H. Anton
135. Chester J. Brown
136. Oliver Y. T. Wong



137. Peter K. Wong
138. Samuel Yang
139. Robert Cesana
140. James Bolig
141. Ali Fardbastani
142. Edward James Scoble
143. Abies Chun-Tok Tsang
144. Calvin C. Lo
145. Charles S. Kleiman
146. Al Hall
147. Edmund Burke
148. Kiflai Yosief
149. Fesahe Taye
150. Diosdado G. Galicha
151. Thomas Diesso
152. Cho Shun-Mei
153. Guenter Helmut Dorn
154. Chumlong Neenthumrong
155. Marc Clarkson
156. Robert S. Craig
157. Glenn Arnold Mack
158. Douglas H. Parsons
159. Frank Schreiner
160. Gene J. Bottorff
161. George Arthur Whipple
162. Chuck Bun Tong
163. Constantine Evanikoff
164. James Benjamin Gillespie
165. Richard O'Farrell Coffman
166. Cornelius E. Natividad
167. Harry L. Zlotkin
168. Milburn Bascom Boaz





169. Thomas J. Stanghellini
170. Warren Kan Wong
171. Matthew Kan Wong
172. Warren Kan Wong, Jr.
173. Michael S. Leung
174. Ying F. Hom
175. Ben Yin Yee
176. Rene Dorestant
177. Rodolfo A. Contillo
178. Wai Jun Chin
179. Winston Guey Wong
180. Moon You Hom
181. Arthur Lee
182. Lloyd Garland Small
183. Frances Mary Walker
184. Yick Ping Chee
185. William Dean Welshans
186. James Hoffman
187. Russel M. Johnston
188. Walter L. Stockfleth
189. Tu V. Nguyen
190. Solomon Tesfa
191. Carlos Julio Arroyo
192. Paul Chan
193. Ralph R. Rubin
194. Wing Hoi Wong
195. John Tsakonakis
196. Duncan Fee Dong
197. James C. Larson
198. William Norton
199. Imtiaz Ahmad
200. Willie Ramsey



201. Ayan Ahmed
202. Clement Vincent Angeli
203. Alfred Matthew LeClair, Jr.
204. John W. Kelly
205. Robert H. Feger
206. Roberto Wolfert Sanz
207. Gerard Molot
208. James Albert Matheson
209. Legesse Abebe
210. Herbert A. Rush
211. Edward Earl Christian
212. Genene Tesfa
213. Frank P. Lynch
214. Tilahun Gebru
215. John G. Lesko, Jr.
216. Taran Y. Tober
217. Lee Tober
218. Rogers A. Gaspard
219. Keith Seville Fazackerley
220. Leland E. Hill
221. Abdo M. Abdella
222. Markos Michael Tafesse
223. Henry Stern
224. Thomas Ivan Kreipe
225. William Rohrig
226. James T. Hall
227. Neil Chow Lynn
228. Dixon J. Sieder
229. Bernard Seronick
230. Ping Yin Chiu

Lieutenant Frazier: "Mr. President, I also have cards of, from people who wish to speak on this issue pro and con. Shall I call the first speaker, Mr. President?"



4001

President Siggins: "I should point out that Commissioner Sanchez was called out on an emergency and after meeting with the other Commissioners, we decided to hear testimony tonight until 9:15. We will not complete all of it tonight and we'll have to go over to another time anyway. The 4th of June. We'll hear testimony tonight up until 9:15. The time right now is 8:50. Then this hearing will be continued until June 4th at 5:30 p.m, in this room."

1. Mr. Arthur M. Lempke--

Mr. Arthur Lempke: "Honorable Commissioners, and fellow cab drivers, both for and against. I am here to protest the issuance of more cab permits to protect the riding public of San Francisco and also because cab owners and drivers and people who drive our shifts in our off-shifts, cannot make a fair living for the amount of time they put in on the streets as it is today.

I would be happy to take any or all of the Commissioners on my own time, in my own cab and pay for the gas and my street income for the day to take you around the City to show you the situation that exists today where we can't make a living and you can't even get on a hotel stand. I want to see us all make a living, and you show me how you are going to make a living where more cabs are on the street. You don't give the cab for nothing.

All I would like to do is thank the Commissioners for listening to me and I hope you do go around the City and look at various cab stands during the day and you'll see what I mean."

The following persons also made brief comments against issuance of new permits:

2. James J. Smith
3. Jerry Hollander
4. George Pens
5. Bud Fong
6. Hayward Wong
7. Bob Simcox, Chauffeurs Union: "A lot of our members are here. I directed a letter to the Commission, to the Commissioners, however I would like to read it as a matter of record so that the members here of the Union will know the Executive Board's position:

'Dear Commissioners,





Chauffeur Union Local 265 would like to take this opportunity to strongly oppose the issuance of any additional taxi cab permits at this time. Presently the cab driver's income has been drastically diluted by inflation plus the rising cost of gasoline. Additional permits could only further compound the problems of the cab drivers presently employed in making a decent income.

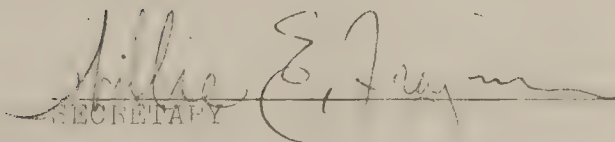
The diluting of the income will ultimately result in the rate increase to the riding public, which in turn results in the decline of business and this pattern has been repeated over the years with the same negative results.

As an alternative, the Union would like to recommend that Proposition K be vigorously enforced, that the Commission start immediate revocation proceedings against any permit holder found in violation and any permits then available through this procedure in turn be reissued to those cab drivers presently employed in the industry.

With the completion of the new Performing Arts Center and the George Moscone Convention Center, it would appear that reconsideration of our position will be in order. However, as stated above, the Union can find no need or necessity at this time for any additional permits.'

Thank you."

President Siggins: "This meeting will be adjourned and continued to June 4th at 5:30 p.m., in this auditorium."

  
SECRETARY



16 MAY 1979

REGULAR MEETING

The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, May 16, 1979 at 1730 hours, in regular session.

PRESENT: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

Commissioner Siggins presiding.

OCT 17 1979

PRESENTATION OF MEDAL OF VALOR AWARDS AND CERTIFICATES

Commissioner Siggins: "Commissioner Jane Murphy was chairperson of the Awards Meeting and she made the recommendation that members of the Department who are to be honored here tonight be so honored and I would like to turn the meeting over to her."

Commissioner Murphy: "Thank you very much Mr. President. This one evening, 32 Medals of Valor, one Gold, 18 Silver and 13 Bronze are to be awarded. The awarding of these medals is the most pleasant of duties afforded the Commissioners. We can come to view the entire force by the relatively few disciplinary cases we have had to hear, about 8 officers so far this year, as contrasted to 30 officers receiving 32 Awards of Valor in one fell swoop, which is an overwhelming number of officers who put their lives on the line in the performance of heroic deeds. We are all extremely proud and grateful to you as we know your families are and certainly the City of San Francisco."

PRESENTATION OF THE MEDAL OF VALOR AWARDS AND CERTIFICATES

The following-named members of the Police Department were presented Medal of Valor Awards and Certificates at the Commission meeting by Commissioner Murphy:

Sergeant Daniel J. Hallisy.....Gold Medal

Inspector James J. Crowley.....Silver Star

Assistant Inspector Gregory

Corrales.....Silver Medal &  
Bronze Star



Police Officer Anna A. Adams.....Silver Medal  
Police Officer Kevin F. Callanan..Silver Medal  
Police Officer William B. Darr....Silver Medal  
Police Officer Edward B. Dullea...Silver Medal  
Police Officer Alex E. Fagan.....Silver Star  
Police Officer Timothy A. Foley...Silver Medal  
Police Officer Gabriel P. Harp....Silver Medal  
Police Officer Jeffrey T. Levin...Silver Medal  
Police Officer Thomas A. Mandelke.Silver Medal  
Police Officer Raymond F. Mullane.Silver Medal  
Police Officer Larry Murdock.....Silver Medal &  
Bronze Medal  
Police Officer Robert J. Puts.....Silver Star  
Patrol Special Officer Raymond  
Adkins.....Silver Star  
Police Officer Michael T. Dempsey.Bronze Medal  
Police Officer Ross E. Laflin.....Bronze Star  
Police Officer Gregory L.  
Ovanessian.....Bronze Medal  
Police Officer Martin T. Sacco....Bronze Star  
Police Officer Ross H. Spinner....Bronze Medal  
Police Officer Thomas P. Walsh....Bronze Medal

RECOMMENDATION OF THE TRAFFIC BUREAU

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, etc., and the same are hereby approved:

3120 MISSION STREET - EMPLOYMENT DEVELOPMENT DEPARTMENT

- a) At 3120 Mission Street, install a 44' blue zone, extending from 4' to 48' south of north property line.
- b) Meters 3114 and 3116 to be removed.





1838 UNION STREET - LA CAGANE

- a) At 1838 Union Street, install a 22' white zone, extending from 6' to 28' east of west property line.
- b) Meter 1818 to have sign reading "White Zone 11 A.M. to 2 P.M. - 5 P.M. to Midnight."

2018 CLEMENT STREET - CLEMENT COFFEE, WINE & CHEESE

- a) At 2018 Clement Street, install a 22' green zone, extending 22' west of east property line.

440 POST STREET - HOTEL ST. ANDREW

- a) At 440 Post Street, revoke existing 22' white zone, extending 22' west of east building line.

1908 POST STREET - KARP'S GROCERY

- a) At 1908 Post Street, revoke existing 40' yellow zone, extending from 10' to 50' west of Fillmore Street.

1727 LAGUNA STREET - WONG'S BAIT & TACKLE SHOP

- a) At 1727 Laguna Street, revoke existing 25' green zone, extending 25' north of the south property line.

2000 POST STREET - WINTERLAND

- a) At 2000 Post Street, revoke existing 54' white zone, extending from 10' to 64' west of Steiner Street.
- b) At 2000 Post Street, revoke existing 75' white zone, extending from 88' to 163' west of Steiner Street.
- c) At 2000 Post Street, revoke existing 24' white zone, extending from 178' to 202' west of Steiner Street.



1725-1751-1799 STEINER STREET - WINTERLAND

- a) At 1725-1751-1799 Steiner Street, revoke existing 23' white zone, extending from 40' to 103' north of Post Street.
- b) At 1725-1751-1799 Steiner Street, revoke existing 96' white zone, extending from 40' to 136' south of Sutter Street.

1030 VAN NESS AVENUE - BUDGET RENT-A-CAR - DENIED

- a) At 1030 Van Ness Avenue, install a 22' white zone, extending from 5' to 27' north of south property line. DENIED
- b) Remove meter #1020. DENIED

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 339 feet of white, yellow and green zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 326-79CONTINGENT FUND FOR THE MONTH OF MAY, 1974 - APPROVED

RESOLVED, that the Auditor for the City, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain, in the amount of \$5,000.00 charging same to P.C. No. 005011 2010 01 as an advance on the Police Contingent Fund for the month of May, 1974.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins



REQUEST OF DEPUTY CITY ATTORNEY CRAIG MARTIN TO  
APPEAL THE COMMISSION'S DECISION OF DENIAL OF CLAIM  
OF MELVIN E. RILEY IN THE SUM OF \$207.50 AT ITS  
MEETING OF APRIL 25, 1979.

Mr. Craig Martin from the City Attorney's Office, appeared and explained to the Commission the reason he was requesting the Commission to overturn its decision to deny this claim and grant payment. He stated that the claimant's car was stolen and the police responded and made a report. He said later the claimant found his car and asked the police that it be taken off the record as stolen. He said claimant was informed at that time that there was no report of his car being stolen. He said then subsequent to that time, claimant's car was picked up from in front of claimant's home as a stolen vehicle. He said claimant then came to his office and filed a claim and gave him the above-stated facts. Martin continued by saying that at that time he recommended that claimant's claim be settled in the amount of \$50.00. He said unknown to him at that time was that claimant had not, and could not, retrieve his vehicle from the storage yard for that amount. He said so by the time settlement came back and he attempted to work it out, the amount had then gone up to \$207.50. Martin said he called the tow company and asked them if they could work out something to stop increasing the storage fees while waiting approval of the settlement and they said no. However, he said, the company did agree to release the claimant's car at that time, based on his recommendation that the claim be settled in the amount of \$207.50 which would go directly to the storage company.

He said if he had not worked out a settlement there the claimant's car would have stayed in storage and sold at a lien sale by the mere fact that claimant would not have been able to get it out of storage. Martin said he thought in all fairness, and in the interest of justice, the case could best be settled, public relations-wise, in the amount of \$207.50.

After further discussion and receiving testimony from Police Officer Gregory Winters representing the Police Department Legal Office's point of view, the Commission adopted the following resolution:

RESOLUTION NO. 338-79 - CANCELLING RESOLUTION NO. 256-79

MELVIN E. RILEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Melvin E. Riley against the City and County of San Francisco in the sum of \$207.50 as the result of a faulty tow,





be, and the same is hereby approved.

Date of Incident: November 16, 1978

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 327-79

ARMANDO GONZALES

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Armando Gonzales against the City and County of San Francisco in the sum of \$637.37 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: November 29, 1978

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 328-79

ALEX PRIMAEAU

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Alex PrimaEAU against the City and County of San Francisco in the sum of \$559.36 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: September 24, 1978

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 329-79

CALIFORNIA STATE AUTOMOBILE ASSOCIATION  
GEORGE W. STEPHENSON

RESOLVED, that the recommendation of the City Attorney for settlement of the California State



Automobile Association and Insured John W. Grossman against the City and County of San Francisco in the sum of \$353.48 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: December 22, 1978

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 330-79

WILLIAM GRAY AND HIS ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of William Gray and his attorney in the sum of \$350.00 in Superior Court, County of San Mateo, No. 229-857, as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 14, 1978

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 331-79

EDDIE HARRISON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Eddie Harrison against the City and County of San Francisco in the sum of \$40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 16, 1979

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 332-79

JERYL SAULTER

RESOLVED, that the recommendation of



RESOLUTION NO. 333-79BUDGET RENT A CAR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Budget Rent A Car against the City and County of San Francisco in the sum of \$10.50 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 8, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 334-79

AUTHORIZING ATTENDANCE OF INSPECTOR DON DANIELS AND ASSISTANT INSPECTOR ISIAH NELSON III, INTELLIGENCE UNIT, AT THE CRIMINAL INTELLIGENCE DATA COLLECTORS COURSE AT SACRAMENTO, CALIFORNIA, FROM JUNE 4, 1979 TO JUNE 15, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Inspector Don Daniels and Assistant Inspector Isiah Nelson III, Intelligence Unit, be detailed to attend the Criminal Intelligence Data Collectors Course at Sacramento, California, from June 4, 1979 to June 15, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Inspector Don Daniels and Assistant Inspector Isiah Nelson III, Intelligence Unit, in a sum not to exceed \$528.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 335-79TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher





submitted by the following named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved.

Sergeant Michael S. Hebel)	\$120.00	(At the P.O.S.T.
Personnel & Training )		(Basic Course Sub-
		(ject Matter Advisory
		(Board Workshop at
		(Los Angeles, Cal-
		(ifornia, from April
		(23, 1979 to April 24,
		(1979, inclusive.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 336-79

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved.

Sergeant Victor Wode,	)\$109.00	(At the Fire-
Personnel & Training )	each	(arms Instruc-
	)	(tors' Update
Police Officer David Alex,	)	(Seminar at Santa
Personnel & Training )		(Rosa, California,
	)	(from May 3, 1979
Police Officer Dirk J. Beijen)		(to May 4, 1979,
Personnel & Training )		(inclusive.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 337-79

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred



In attending the below-indicated program, be,  
and the same is hereby approved.

Deputy Chief Mario Amoroso)	\$10.00	(At the Adminis-
Support Services Bureau )	each	(trative Institute
)		(on Time Management
Commander Cornelius Murphy)		(at Oakland, Calif-
Patrol Division )		(ornia, on April 17,
)		(1979.
Commander Robert C. Seghy )		
Traffic Division )		

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

The members of the Commission, having received, amended and returned copies of the minutes of the meeting of April 11, 1979, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

#### CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "No report tonight Commissioners."

Commissioner Murphy: "I have one question if I may, we have, every Commission meeting practically Chief, a group of request about amounts of money to send people on training trips, or conferences, or scholastic training, and it seems to me if we had a policy of this Commission that we want people to be trained and kept up to date, and so on, which I think has been a policy, certainly we could make it one again, that this is kind of busy work for us and if we could just....is there anything in the Charter, for example, that makes us have to approve all of these?"

Commissioner Siggins: "But it is, we put it on the Consent Calendar."

Commissioner Murphy: "There are some others that aren't on the Consent Calendar, I thought, I think there is one now. If they are on the Consent Calendar that's fine, but we have had them that weren't, I think."



Chief Gain: "Well, we will research it. Are you thinking about delegating it?"

Commissioner Murphy: "Yes, I think you should or whoever you want to delegate it to, should do that."

Chief Gain: "I wouldn't delegate it but I will do whatever you want to make sure that it is appropriate."

Commissioner Murphy: "Sure, I think that is proper for you to do that."

Chief Gain: "Well, we will research it to see if it is mandatory for the Commission and report back to you on that."

Commissioner Murphy: "Fine, thank you."

REQUEST OF PUBLIC DEFENDER JEFF BROWN FOR A PUBLIC  
HEARING ON POLICE POLICY CONCERNING POLICE CODE  
SECTIONS 20a, 20b AND VEHICLE CODE SECTION 12951.  
(CONTINUED FROM MAY 2, 1979)

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Jeff Brown: "I would prefer actually, because I have not had the opportunity in the last couple of weeks, to analyze the statistics because of the pressure of other business. I would ask, really, that this matter be concluded without prejudice and allow the opportunity at a later point to get back to the Commission relative to this. There are several things, first of all, when you have a law suit which makes it more difficult for the Commission to take a position. Secondly, I have to look at the statistics and talk to my Deputies. We have been involved in some rather extensive planning in our office that has not permitted me, really, the time, and I'd prefer to do it that way."

Commissioner Siggins: "Okay, that's fine. But I appreciate your bringing this matter to the attention of the Commission and we do have an interest in it."

Jeff Brown: "I appreciate the Commission's attention. Thank you very much."





RESOLUTION NO. 339-79

AUTHORIZING ACCEPTANCE BY THE SAN FRANCISCO POLICE DEPARTMENT OF A 1966 PLYMOUTH AUTOMOBILE VALUED AT LESS THAN \$250.00, FROM MR. WILLIAM HAMILTON OF THE CALIFORNIA STATE AUTOMOBILE ASSOCIATION, 150 HAYES STREET, SAN FRANCISCO, CALIFORNIA.

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WHEREAS, Mr. William Hamilton of the California State Automobile Association has offered to give to the San Francisco Police Department an automobile, a 1966 Plymouth Sedan, License Number TLH 374; and

WHEREAS, the San Francisco Police Department is in need of non-descript vehicles for use as undercover vehicles; and

WHEREAS, Section 3.500(d) of the San Francisco City Charter authorizes the Police Commission to accept such a gift on behalf of the Police Department and the City and County of San Francisco; therefore be it

RESOLVED, that the 1966 Plymouth automobile, TLH 374, offered as a gift by Mr. William Hamilton of the California State Automobile Association to the San Francisco Police Department is hereby accepted on behalf of the San Francisco Police Department and the City and County of San Francisco.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 340-79

REQUEST OF MR. SATIAN PHONGPITAG FOR PERMISSION TO INCREASE HIS JITNEY PASSENGER CAPACITY FROM TWELVE (12) PASSENGERS TO FIFTEEN (15) PASSENGERS.

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WHEREAS, Mr. Satian Phongpitag requested by letter a hearing before the Police Commission for permission to increase his passenger capacity from twelve (12) passengers to fifteen (15) passengers; and

WHEREAS, the Police Commission, after hearing a favorable report from the Police Department's Permit Bureau regarding Mr. Phongpitag's capability



of increasing his passenger capacity and of having purchased the appropriate amount of insurance to cover such increase, approve Mr. Phongpitag's request; therefore be it

RESOLVED, that it is the order of the Police Commission that the request of Mr. Satian Phongpitag for permission to increase his jitney bus passenger capacity from twelve (12) passengers to fifteen (15) passengers, be, and the same is hereby approved; and be it further

RESOLVED, that said increase of passenger capacity is subject to review by the Police Commission on August 15, 1979, and if proven satisfactory, approval will be granted thereafter for a period of one (1) year, from August 15, 1979 to August 15, 1980.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

SETTING OF DATE FOR THE HEARING OF POLICE OFFICER  
BRUCE BUSHNER, COMMUNICATIONS DIVISION (CONTINUED  
FROM MAY 9, 1979)

Stephen Bley: "Stephen Bley appearing on behalf of Mr. Hebel who will not be here tonight and I have been authorized to set a date convenient on the calendar of the Commission."

Lawrence Wilson: "Lawrence Wilson appearing on behalf of the Department. We have hearings set both on the 23rd and the 30th, and the 30th of May is the Lum and Murphy continuance and I would like to leave the following two Wednesdays open to hear the other two Murphy cases should that be possible. So, I suggest that this be set for the 20th of June."

Commissioner Siggins: "Is this going to go to a hearing?"

Lawrence Wilson: "Well, I hope not."

Commissioner Siggins: "Should he be....."

Lawrence Wilson: "I have had not substantive discussion with either the officer or his counsel."



Commissioner Siggins: "I didn't know the Department wanted to let this one go this long."

Chief Gain: "Well, we should talk to Sergeant Hebel. May I suggest that we continue this to next week, I assume the Sergeant will be here then. He is out of town now. Continue it to next week for setting because Sergeant Hebel, perhaps, can be here and we can determine through conversation what he intends to do."

Stephen Bley: "I believe that the reason that I am appearing on his behalf tonight is that he didn't want to have it so that by his not being here that that would be interpreted as some attempt by him to put it over, so if that's alright, I will just inform Mr. Bushner who is present, to have....."

Commissioner Siggins: "Is he here?"

Stephen Bley: "Yes, Mr. Bushner is right here, would you stand up please?"

Lawrence Wilson: "I would like to make this comment President Siggins, if the officer would like to have this put over until his Retirement Board Hearing, I informed him that that didn't concern the department, that I am simply suggesting a date for time when we may be able to hear this. I suspect that counsels attack will be for the latest date past the Retirement Board Hearing."

Commissioner Siggins: "Well, he's not here but Officer Bushner wants to resign from the Department, is that correct?"

Lawrence Wilson: "He would like to get a disability retirement."

Stephen Bley: "Perhaps I could suggest this, if we set it for the 20th, I will have Mr. Bushner contact Mr. Hebel and, if that, either from one side or the other, becomes inappropriate, I can have Mr. Hebel, this week, contact Mr. Wilson who could then transmit it on to the Commission. But I think probably just for calendar purposes you probably just should have it on the calendar so it just doesn't....."

Commissioner Siggins: "Yes, but why don't we put it over to next week and then calendar it next week?"





4.4

RESOLUTION NO. 341-79

SETTING OF THE DATE FOR THE HEARING OF POLICE  
OFFICER BRUCE BUSHNER, COMMUNICATIONS DIVISION

WHEREAS, the setting of the date for the hearing of disciplinary charges filed against Police Officer Bruce Bushner, Communications Division, was called; and

WHEREAS, Sergeant Michael Hebel, Attorney for Officer Bushner could not be present but asked Mr. Stephen Bruce Bley, Attorney at Law, to represent Officer Bushner for purposes of setting a date for Officer Bushner's hearing; and

WHEREAS, the Commission, noting the presence of Officer Bushner, stated that his Attorney of Record, Sergeant Michael Hebel, should be present for the setting of the date for Officer Bushner's hearing; therefore be it

RESOLVED, that the setting of the date for the hearing of disciplinary charges filed against Police Officer Bruce Bushner, Communications Division, be, and the same is hereby continued to Wednesday, May 23, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Giant, Murphy, Sanchez,  
Toler, Higgins

HEARING OF POLICE OFFICER ROBERT LANDUCCI, TARAVAL  
POLICE STATION

The hearing of Police Officer Robert Landucci, Taraval Police Station, was called, it having been set for this date. Police officer Robert Landucci was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Striking a Prisoner Without Lawful Cause or Excuse. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)



SPECIFICATION NO. 2

Threatening a Citizen in an Attempt to Cause the Withdrawal of a Complaint Against Him. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Failure to Answer Truthfully and Without Evasion Questions Propounded. (Violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department.)

in a properly verified complaint by Charles R. Gain, Chief of Police of the San Francisco Police Department.

Police Officer Robert Landucci appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Robert Byrne, Attorney at Law, appeared as the Prosecutor for the Police Department.

The reading of the Charges was waived.

Mr. Stephen Bruce Bley entered on behalf of his client a plea of "Not Guilty" to all specifications.

An opening statement was made by the Prosecuting Attorney.

The following-named witnesses appeared for the Prosecution, were sworn and testified:

Renee Montchatre  
1101 Eucalyptus Drive  
San Francisco, California

Mr. Jacques Montchatre  
1101 Eucalyptus Drive  
San Francisco, California

Mrs. Colette Montchatre  
807 So. Cherokee Lane  
Berkeley, California



Mr. Robert Lawrence  
92 Simpson Drive  
San Francisco, California

Mrs. Iris Chan  
2200 Bettina  
Belmont, California

The following-named witnesses appeared  
for the Defense, were sworn and testified:

Captain Donald L. Taylor  
Property Crimes Division

Station Officer Alwin Carpenter  
Taraval Police Station

Police Officer Robert Landucci  
Taraval Police Station

The following Exhibit was entered into  
Evidence by the Prosecution:

Exhibit No. 1 - Letter from Mr. Jacques  
Montchatre to S.F.P.D.,  
Internal Affairs, Dated  
November 16, 1978.

Closing statements were then made by  
both the Prosecuting and Defense Attorneys.

The Commission took the matter under  
submission, and then recessed from 2137 hours  
to 2200 hours, after which the following resolu-  
tion was adopted:

RESOLUTION NO. 342-79

DECISION - HEARING OF POLICE OFFICER ROBERT LANDUCCI,  
TARAVAL POLICE STATION

WHEREAS, on January 20, 1979, Charles R.  
Gain, Chief of Police, made and served charges  
against Police Officer Robert Landucci, as follows:

SPECIFICATION NO. 1

a) At all times mentioned herein





the accused was, and now is, a police officer employed by the City and County of San Francisco and assigned to Taraval Station.

- b) On October 31, 1978, the accused arrested Rene Monchatre, a juvenile, age 15 years, and transported him to the Taraval Station;
- c) Upon arrival at Taraval Station the accused removed Rene Monchatre from the police car and then struck him with an open hand on the back of his head. At this time Rene Monchatre's hands were handcuffed.
- d) Said force used by the accused was unnecessary, excessive and without cause or excuse.
- e) Said conduct of the accused constituted a breach of the peace, tended to subvert the good order, efficiency and discipline of the San Francisco Police Department, and reflected discredit upon the San Francisco Police Department and the accused, and therefore the accused violated Section 2.13 of the Rules and Procedures of the San Francisco Police Department, which states:

"Any breach of the peace, neglect of duty, misconduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficerlike conduct triable and punishable by the Board."

#### SPECIFICATION NO. 2

- a) Each and every allegation in paragraphs (a) - (d) of Specification No. 1



is referred to and incorporated herein by such reference as if each such allegation was fully stated;

- b) On November 15, 1978, the accused was interviewed by an investigator assigned to the Internal Affairs Bureau and was informed of the allegations made against him by Rene Monchatre and that Rene Monchatre might be requested to take a polygraph examination.
- c) After this interview, and on the same day, the accused went to the Bank of America, 20th and Taraval, San Francisco. At that location, and in the presence and hearing of several employees of the bank, the accused spoke to Mrs. Collette Monchatre, the mother of Rene Monchatre, and an employee of the bank. The accused shouted at Mrs. Monchatre and said the following (among other things) regarding her son: "If he gets me days off, I'll hang him" (or words with substantially the same meaning.)
- d) As a consequence of the accused's conduct, Mr. Jacques Monchatre, Rene Monchatre's father, wrote the Internal Affairs Bureau requesting that his son's complaint be withdrawn.
- e) Said conduct of the accused was misconduct and reflected discredit on the San Francisco Police Department and the accused, and therefore the accused violated Section 2.13 of the Rules and Procedures of the San Francisco Police Department, which states:

"Any breach of the peace, misconduct on the part of any member either within or without the state which tends to subvert the good order, efficiency and discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered un-officerlike conduct triable and punishable by the Board."



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SPECIFICATION NO. 3

- a) Each and every allegation in paragraphs (a) - (d) of Specification No. 1 and (b) - (d) of Specification No. 2 is referred to and incorporated herein by such reference as if each allegation was fully stated.
- b) An investigator of the Internal Affairs Bureau was assigned by lawful authority to investigate the alleged conduct of the accused.
- c) In the course of said investigation, the investigator interviewed the accused who denied that he had struck Rene Monchatre and that he had made the forementioned statement to Mrs. Monchatre.
- d) Said denials by the accused were untruthful.
- e) The untruthful denials alleged above constitute a violation of Section 2.49 of the Rules and Procedures of San Francisco Police Department, which reads:

"Shall, when called upon by a superior officer, or by one specially assigned by lawful authority to conduct an investigation involving police matters, or any matter affecting the conduct of a member or members, truthfully answer all questions propounded. All reports, statements and declarations made orally, or in writing in the foregoing matters shall contain the truth without evasion."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 2.343 of the Charter of the City and County of San Francisco on Wednesday, May 16, 1979, and that on Wednesday, May 17, 1979, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer





Robert Landucci, Taraval Police Station, as contained in Specification No. 1, are not sustained by the evidence presented at the hearing and that Police Officer Robert Landucci has not violated Section 2.13 of the Rules and Procedures of the San Francisco Police Department; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Robert Landucci, Taraval Police Station, as contained in Specification No. 2, are sustained by the evidence presented at the hearing (Paragraph D not sustained), and that Police Officer Robert Landucci violated Section 2.13 of the Rules and Procedures of the San Francisco Police Department; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Robert Landucci, Taraval Police Station, as contained in Specification No. 3 are sustained, in part, by the evidence presented at the hearing and that Police Officer Robert Landucci violated Section 2.49 of the Rules and Procedures of the San Francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Robert Landucci has not violated Specification No. 1, Section 2.13 of the Rules and Procedures of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that Police Officer Robert Landucci has violated Specification No. 2, Section 2.13, (Paragraph D not sustained) of the Rules and Procedures of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that Police Officer Robert Landucci has violated Specification No. 3, Section 2.49, in part, of the Rules and Procedures of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that for said violations of Specification No. 2, Section 2.13, and Specification No. 3, Section 2.49, Officer Robert Landucci, Taraval Police Station, is hereby given an official Police Commission reprimand.

Recesses taken during the hearing  
of Police Officer Robert Landucci:

2010 hours to 2023 hours.  
2137 hours to 2200 hours.

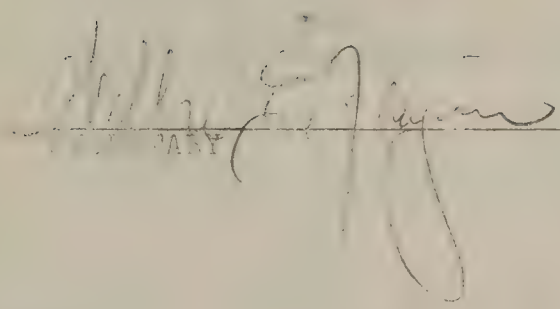


(The entire proceedings were  
taken in shorthand form by  
Hearing Reporter Dorsey A.  
McTaggart, C.S.R.)

AYES: Commissioners Murphy, Sanchez, Toler,  
Siggins

ABSENT: Commissioner Ciani

The Commission then adjourned its meeting  
at 2215 hours.

  
\_\_\_\_\_  
WILLIAM E. HIGGINS



9  
23 MAY 1979

REGULAR MEETING

726-40  
The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, May 23, 1979 at 1730 hours, in regular session.

PRESENT: Commissioners Ciani, Sanchez, Toler, Siggins

ABSENT: Commissioner Murphy

MAY 17 1979

Commissioner Siggins presiding.

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, etc., and the same are hereby approved:

3821-24th STREET - VICTORIAN WINE & SPIRITS

- a) At 3821-24th Street, install an 18' yellow zone, extending from 11' to 29' west of east property line.
- b) Meter #3813 to be removed.

568 MONTEREY- EL MERCADITO

- a) At 568 Monterey, install a 22' green zone, extending 22' west of east property line.

1439 TARAVAL STREET - DIGRANDE RESTAURANT

- a) At 1439 Taraval Street, install a 24' white zone, extending from 2' to 26' east of west building line.
- b) Revoke existing 24' yellow zone, extending from 2' to 26' east of west building line.





1897 LEAVENWORTH STREET - BELLAIRE TOWER -DENIED

- a) At 1897 Leavenworth Street, install a 44' white zone, extending from 10' to 54' south of north property line. DENIED.

730 POWELL STREET - 730 POWELL HOTEL - DENIED

- a) At 730 Powell Street, install a 22' white zone, extending from north end of Parking Bay 22' south of same. DENIED.

3400 WASHINGTON STREET - IRANIAN CONSUL

- a) At 3400 Washington Street, revoke existing 39' green zone, extending from 39' to 78' west of Walnut Street.

3400 WASHINGTON STREET - IRANIAN CONSUL

- a) At 3400 Washington Street, revoke existing 39' white zone, extending from 39' west of Walnut Street.

AYES: Commissioners Ciani, Sanchez, Toler,  
Siggins

NOT VOTING: Commissioner Murphy

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 102 feet of yellow, white and green zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Sanchez, Toler,  
Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 344-79

GORDON GARTRELLE AND HIS ATTORNEY

RESOLVED, that the recommendation of the



4:4

City Attorney for settlement of litigation of Gordon Cartrelle and his attorney in the sum of \$1,500.00 in Superior Court Action No. 700-224 entitled "Gordon Cartrelle and his attorney vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 6, 1975

AYES: Commissioners Ciani, Sanchez, Toler,  
Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 345-79

HOTEL ST. FRANCIS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the Hotel St. Francis against the City and County of San Francisco in the sum of \$81.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 23, 1979

AYES: Commissioners Ciani, Sanchez, Toler,  
Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 346-79

AUTHORIZING ATTENDANCE OF SERGEANT ALAN BENNER, NORTHERN POLICE STATION, AT THE NATIONAL WORKSHOP ON POLICE SELECTION, AT NATIONAL ACADEMY, QUANTICO, VIRGINIA, FROM MAY 29, 1979 TO JUNE 1, 1979, INCLUSIVE.

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RESOLVED, that the recommendation of the Chief of Police that Sergeant Alan Benner, Northern Police Station, be detailed to attend the National Workshop on Police Selection, at the National Academy, Quantico, Virginia, from May 29, 1979 to June 1, 1979, inclusive, be, and the same is hereby approved; and be it further



RESOLVED, that the expenses incurred by Sergeant Alan Benner, Northern Police Station, will be paid by the Federal Bureau of Investigation.

AYES: Commissioners Ciani, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 347-79

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved.

Lieutenant Daniel J. Murphy	\$427.00	(At the National
Intelligence Unit	)	(Law Enforcement
		(Intelligence Con-
		(ference at Phoenix,
		(Arizona, from May
		(8, 1979 to May 11,
		(1979, inclusive.

AYES: Commissioners Ciani, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Murphy

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "Commissioners, although he is not here for this purpose, I would like to take this opportunity, at your pleasure, to introduce to you the Auditor Monitor in regard to our Consent Decree, Professor Nathaniel Trives."

Professor Trives: "I am glad to be here."

Commissioner Siggins: "Thank you Professor, we will extend you any help that you might require from the Commission."





Professor Trives: "I hope, sometime in the future, that I might have to foreclose on that invitation."

Commissioner Siggins: "Okay, alright. What's the effect....the Civil Service Commission certified a list yesterday, is that correct?"

Chief Gain: "I am sorry, they took action Monday and because of intervening events I don't have knowledge of what they did in regard to the Audio Visual Examination, I, in fact, don't know."

Commissioner Ciani: "Well, it was reported in the paper that the examination was going to be re-given to some who didn't take it. Does this mean that these two groups will be combined in a single list? Is that the intent?"

Chief Gain: "That was my understanding of what was going to take place, that there would be a re-examination in regard to those who did not take the Audio Visual Test on April 7th. There was, as we know, quite a drop out factor, as it was called, some 3 or more thousand did not take that test on April 7th. Some because postcards had not been received by them. We had employees who took the test but did not get the postcard. So my understanding is that they will be given the opportunity to take that examination and those who first took it will proceed on, and those who take it now, then, they will eventually appear in rank order on an eligibility list, a combined list."

Commissioner Ciani: "So, as a result of taking this test all of those tested will be put in rank order on the certified list?"

Chief Gain: "Well, what it will be eventually is that they will go through the same process of the oral interview board, the physical agility, and so on. So, ultimately, it will be just one list."

Commissioner Ciani: "Well, it isn't any likelihood that anyone would complain about having the second group co-mingled with the first."

Chief Gain: "Well, it would be the same list eventually, because the process is still in being as far as the examination process."

Commissioner Ciani: "Is there no requirement that the examination be given at a single time?"



Chief Gain: "Apparently not. If the Board took action to have another examination. It would, presumably, be within the rules to do so."

Commissioner Toler: "And Chief, you said 3 or 4 thousand did not take the Audio portion of the exam?"

Chief Gain: "On April 7th, as I recall, some 7 thousand had signed up. approximately 3500 or 4000 actually took the exam. That is my recollection. It was quite a drop out factor."

Commissioner Sanchez: "I would like to just throw out something to which I read, but I can't cite the source because I can't remember it. But it seems to me, there was a projected no pass of 265, I mean numbers in the total pool."

Commissioner Ciani: "That was in the newspaper. That number failed of the 3,000 that took it."

Commissioner Sanchez: "Yes, and therefore....."

Chief Gain: "They set the cutoff point then at what 65% or 60%?"

Commissioner Sanchez: "I think it was 60, I could be wrong because I can't remember the source but this implied many things. I think number one, we are going to have to, at some proper point, take a very hard look at both the curriculum and whatever process, or procedures we have as far as our own course content and evaluation, and I think we have some findings coming next week pertaining to that, and I think we are really going to have to refine this in order to insure that there is a consistent pattern here, otherwise we are going to run into navigation problems."

Chief Gain: "Right, I agree."

Commissioner Siggins: "Okay, anything else from the Chief?"

REQUESTING PERMISSION OF THE POLICE COMMISSION TO  
MAKE FIFTEEN (15) NON-CIVIL SERVICE APPOINTMENTS  
TO THE RANK OF LIEUTENANT

Chief Gain: "A letter requesting your approval to



appoint up to 15 Sergeants to the Non-Civil Service rank of Lieutenant and I am requesting, as stated in the letter, permission to appoint up to 15, 15, although at this time there is one vacancy that I specifically want your approval to fulfill. By your giving approval for the 15, then we will be making them in due course as vacancies arise and I will not have to come back before the Commission and take your time for what is, in fact, a routine matter. And I state the criteria for making those appointments, the wording of which is from the Consent Decree. So it would be in accordance with the terms of that Decree, experience, demonstrated performance, potential to fulfill the position and within the context giving due consideration to minority group persons and so on."

Commissioner Siggins: "What procedures do you follow insofar as Professor Trives is concerned?"

Chief Gain: "There is no longer that requirement to notice the court. The Consent Decree provides that the present informal list will eventually be certified and then we will be appointing in rank order off that list, and so on. So we don't have that process any more."

The matter was then unanimously approved.

Commissioner Sanchez: "A question if I might. The Commander position which we approved and sent to Civil Service, has that been approved Chief?"

Chief Gain: "No, it's in process, I don't know whether it is past the Mayor's Office yet or not, Commissioner."

Commissioner Sanchez: "Thank you."

RESOLUTION NO. 348-79

REQUESTING PERMISSION OF THE POLICE COMMISSION TO  
MAKE FIFTEEN (15) NON-CIVIL SERVICE APPOINTMENTS  
TO THE RANK OF LIEUTENANT

RESOLVED, that pursuant to Charter Section 3.501 the Police Commission hereby approves the appointments by the Chief of Police of fifteen (15) Q50 Sergeants to the Non-Civil Service rank of Q60 Lieutenant.

AYES: Commissioners Ciani, Sanchez, Toler,  
Siggins

NOT VOTING: Commissioner Murphy





REQUEST OF MR. JOSE MA FOR PERMISSION TO INCREASE  
THE PASSENGER CAPACITY OF HIS JITNEY BUS FROM TWELVE  
(12) PASSENGERS TO FIFTEEN (15) PASSENGERS.

Commissioner Siggins: "Is he here? The Permit or Cab Detail has no objections to this and providing he has the proper insurance, can we make up the same type of resolution where he will come back in August with the others to see how feasible it is, given him a permit up until August insofar as he established the insurance?"

Commissioner Ciani: "I would so move."

Commissioner Toler: "Second."

Commissioner Siggins: "All in favor? Unanimously approved."

RESOLUTION NO. 349-79

REQUEST OF MR. JOSE MA FOR PERMISSION TO INCREASE THE  
PASSENGER CAPACITY OF HIS JITNEY BUS FROM TWELVE (12)  
PASSENGERS TO FIFTEEN (15) PASSENGERS.

WHEREAS, Mr. Jose Ma requested by letter a hearing before the Police Commission for permission to increase his passenger capacity from twelve (12) passengers to fifteen (15) passengers; and

WHEREAS, the Police Commission, after hearing a favorable report from the Police Department's Permit Bureau regarding Mr. Jose Ma's capability of increasing his passenger capacity and of having purchased the appropriate amount of insurance to cover such increase, approves Mr. Jose Ma's request; therefore be it

RESOLVED, that it is the order of the Police Commission that the request of Mr. Jose Ma for permission to increase his Jitney Bus passenger capacity from twelve (12) passengers to fifteen (15) passengers, be, and the same is hereby approved; and be it further

RESOLVED, that said increase of passengers is subject to review by the Police Commission on August 15, 1979, and if proven satisfactory, approval will be granted thereafter for a period of one (1) year, from August 15, 1979 to August 15, 1980.

AYES: Commissioners Ciani, Sanchez, Toler,  
Siggins

NOT VOTING: Commissioner Murphy



REQUESTING APPROVAL OF A PROPOSED GENERAL ORDER  
REGARDING BOMBS AND EXPLOSIONS. (COPIES SENT TO  
EMPLOYEE ASSOCIATIONS)

Commissioner Siggins: "Did we hear from the Associations on this?"

Chief Gain: "This was approved by the Associations, was it not?"

Lieutenant Frazier: "Yes, I have heard from the Associations and they have no desire to Meet and Confer on the issue."

Commissioner Siggins: "So that, in effect, means we can adopt it."

Chief Gain: "It can be adopted and we can publish it."

It was then unanimously approved.

RESOLUTION NO. 350-79

REQUESTING APPROVAL OF A PROPOSED GENERAL ORDER  
REGARDING BOMBS AND EXPLOSIONS.

RESOLVED, that the Police Commission hereby approves and adopts the proposed department general order regarding bomb threats, destructive devices, and explosions.

AYES: Commissioners Ciani, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Murphy

SETTING OF THE DATE FOR THE HEARING OF POLICE  
OFFICER BRUCE BUSHNER, COMMUNICATIONS DIVISION

Lawrence Wilson: "I was just checking to see if Mr. Bushner was here, I don't see him or his counsel."



Commissioner Siggins: "Well, maybe he will be in."

Chief Gain: "Could we defer the item to later?"

Commissioner Siggins: "Yes, let's go on. (Sergeant Hebel appeared during the Hearing of Police Officer Katherine Anderson and a date of June 13th was set for Mr. Bushner's hearing.)

RESOLUTION NO. 351-79

SETTING OF THE DATE FOR THE HEARING OF POLICE OFFICER  
BRUCE BUSHNER, COMMUNICATIONS DIVISION

WHEREAS, the setting of the date for the hearing of disciplinary charges filed against Police Officer Bruce Bushner, Communications Division, was called; and

WHEREAS, it was requested by Sergeant Michael Hebel, Attorney for Officer Bushner, that Officer Bushner's disciplinary hearing before the Police Commission be set for June 13, 1979; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Bruce Bushner, is set for Wednesday, June 13, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Sanchez, Toler,  
Siggins

NOT VOTING: Commissioner Murphy

Commissioner Siggins: "Did you have any contact with Attorney Edward Heavey in regard to being on the calendar tonight?"

Lieutenant Frazier: "No sir."

Edward Heavey: "Mr. President, I would like to speak briefly on the matter involving the rampage in San Francisco on Monday evening. My remarks will not exceed, Mr. President, five minutes."

Commissioner Siggins: "Go ahead."





Edward Heavey: "Mr. President, members of the Commission, Police Commission of San Francisco, Chief Gain, my name is Edward Heavey, my position is....the Toga in which I am speaking tonight, you might say, is that of President of the Veterans Political Council of San Francisco. And I am speaking as a citizen of this great and glorious community for all the 64 years of my life. I view the events subsequent to the announcement of the verdict in the Dan White case Monday of this week, in this Hall of Justice, to be the most frightful, frightening, alarming, deplorable in all of the history of my life, not excluding the fire and earthquake of 1906. That was an act of nature. This involved a band of riff raff and I am not talking about Gays and I am not talking about straights, I am talking about 'Anarchist.' People who were displeased, or maybe people who only wanted to seize an opportunity to raise havoc in San Francisco, and I want to know where was our San Francisco Police Department, headed, I believe, by you Mr. President, as those critical events developed in the City. We have an Intelligence Unit as I understand it in the Police Department who would have or should have been apprised of the growing inferno, and that's what it was, as the afternoon wore on the Castro area. Let me say again I do not charge or ascribe, the violence, the vicious vandalism, to the Gays of San Francisco. It was a lawless element no more than Dan White represented the straights in San Francisco did the vandals mass at the City Hall represent the Gays. They had no Charter Mandate nor were they an authorized constituent element. And so as the inferno grew, I would have thought that effective leadership to which I address myself at this moment would have surmised that trouble was afoot and like the Fire Department pull in at the earliest opportunity with whatever force and weapons the situation required, but no, it grew beyond control and we the city of San Francisco, world famed and we are damned well world famed now, suffered a complete breakdown in law and order. What's the cost of that if that's of importance and I don't really think it is. Many millions of dollars project the injuries to the police through the years of their early retirement on disabilities incurred in the line of duty to the extent they were permitted to function over the years what's that going to cost me, my children, the oncoming generations of San Francisco? What a sight to flash on the television screens through the world our majestic edifice, the City Hall vandalized, not worse than an invading foe would have done. My question, Mr. Commissioner, and I am surprised if I am the only one of 700,000 San Franciscans here tonight to talk about the traumatic events of Monday last in San Francisco. I am interested to know, Mr. President, Chief Gain, what happened? What made us prostrate before the riff raff of San Francisco for a number of hours Monday night? Thank you."

Commissioner Siggins: "Okay Mr. Heavey, thank you sir...."



HEARING OF POLICE OFFICER KATHERINE ANDERSON,  
PARK POLICE STATION

The hearing of Police Officer Katherine Anderson, Park Police Station, was called, it having been set for this date. Police Officer Katherine Anderson was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Failure to Obey an Order of a Superior. (Violation of Section 2.45 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Improperly Leaving Her Assignment While on Duty. (Violation of Section 9.29 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Neglect of Duty. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 4

Failure to Answer Truthfully and Without Evasion Questions Pro-  
pounded. (Violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department.)

in a properly verified complaint by Charles R. Gain, Chief of Police of the San Francisco Police Department.

Police Officer Katherine Anderson appeared in person and was represented by Ms. Alice Beasley, Attorney at Law.

Mr. Robert Byrne, Attorney at Law, appeared as the Prosecutor for the Police Department.





The reading of the Charges was waived.

Police Officer Katherine Anderson, entered, through her attorney, a written plea of "not guilty" to all charges.

An opening statement was made by Mr. Robert Byrne, Prosecuting Attorney.

The following-named witnesses were called by the Prosecution, sworn and testified:

Captain Gerald D'Arcy  
Commanding Officer  
Central Police Station

Sergeant James Hall  
Northern Police Station

The following exhibits were entered into Evidence by the Prosecution:

Exhibit No. 1 - Two 8-1/2" x 11" zeroxed sheets entitled Command Post Log, listing chronological times from 2200 hours to 0230 hours. Each time indicating certain occurrences at various locations in the Central Police District.

Exhibit No. 2 - Four 8-1/2" x 11" zeroxed sheets, excerpts of Sergeant Hall's notebook listing chronological times verifying various positions of officers present and not present at their assignments, indicating at 2310 hours all officers accounted for except Officer Anderson.

The following exhibits were entered into Evidence by the Defense:

Exhibit A - One 11"x 14" Photograph of intersection of Columbus and Stockton, looking southerly towards the Transamerica Building. Specific reference points in photo are circled in red, as A and B.





Exhibit B. - One 11" x 14" Photograph of intersection of Columbus and Stockton, a northerly view. Specific reference points in photo are circled in red as A and B.

The Commission then adjourned at 2118 hours, and the matter was continued to Wednesday, June 6, 1979, at 1730 hours, in Room 551, Hall of Justice.

Recess taken during the Hearing of Officer Anderson:

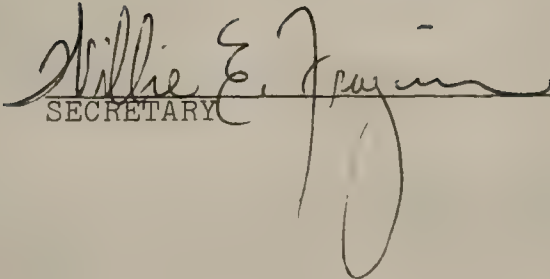
2002 hours to 2015 hours.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Ciani, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Murphy

The Commission then adjourned its meeting at 2118 hours.

  
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SECRETARY



15  
2  
0/79  
30 MAY 1979

REGULAR MEETING

~~The~~ Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, May 30, 1979 at 1730 hours, in regular session.

PRESENT: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

Commissioner Siggins presiding.

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

1315 HOWARD STREET - THOMAS CO.

- a) At 1315 Howard Street, install a 19' yellow zone, extending from 21' to 40' east of west property line.
- b) Remove meter #1307.

98 HOLLIS - S.F. REDEVELOPMENT AGENCY

- a) At 98 Hollis, install a 22' blue zone, to extend from north property line 22' south of same.

1567 PACIFIC - THE JUG SHOP

- a) At 1567 Pacific, install a 22' yellow zone, extending from east building line 22' west of same.

1567 PACIFIC - THE JUG SHOP

- a) At 1567 Pacific, install a 22' green zone, extending from 22' to 44' west of east building line.



1390 WEBSTER STREET - S.F. REDEVELOPMENT -DENIED

- a) At 1390 Webster Street, install a 48' red zone, extending 48' south of O'Farrell Street. DENIED.

420 TAYLOR STREET - FIELD COMMUNICATIONS KBHK

- a) At 420 Taylor Street, revoke existing 40' white zone, extending from 73' to 113' north of O'Farrell Street.
- b) At 420 Taylor Street, install a 40' yellow zone, extending from 73' to 113' north of O'Farrell Street.

277-6th STREET - S.F.P.D.

- a) At 277-6th Street, revoke existing 25' yellow zone, extending from 47' to 72' south of Clementina.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 65 feet of yellow and white zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 352-79

PETER SALAMY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Peter Salamy against the City and County of San Francisco in the sum of \$200.00 as the result of





damages sustained, be, and the same is hereby approved.

Date of Incident: October 21, 1978

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 353-79

CALIFORNIA STATE AUTOMOBILE  
ASSOCIATION (GARFIELD LEE)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the California State Automobile Association (Garfield Lee) against the City and County of San Francisco in the sum of \$150.00 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: October 17, 1978

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 354-79

WINNIE-WAN KAM AND KWONG-KOW KAM

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Winnie-Wan Kam and Kwong-Kow Kam against the City and County of San Francisco in the sum of \$125.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 25, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins



- 440 -

RESOLUTION NO. 355-79

LEE DOUGLAS BOGAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lee Douglas Bogan against the City and County of San Francisco in the sum of \$23.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 19, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 356-79

WILLIAM V. WAGNER, JR.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of William V. Wagner, Jr., against the City and County of San Francisco in the sum of \$26.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 18, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 357-79

AMENDING RESOLUTION NO. 174-79 (BY CHANGING DATES OF ATTENDANCE FROM MARCH 26, 1979 TO MARCH 30, 1979, TO NEW DATES OF JUNE 18, 1979 TO JUNE 22, 1979, INCLUSIVE) TO AN ADVANCED SPECIAL WEAPONS AND TACTICS TRAINING COURSE.

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AUTHORIZING ATTENDANCE OF SERGEANTS RONALD JACKSON, CARL P. PETERS, AND POLICE OFFICERS HENRY KIRK, MICHAEL MC ELLIGOTT, JEREMIAH MORGAN, AND ROBERT SUDANO, CRIMES SPECIFIC TASK FORCE, AT THE ADVANCED SPECIAL WEAPONS AND TACTICS TRAINING COURSE AT SANTA ROSA, CALIFORNIA, FROM JUNE 18, 1979 TO JUNE 22, 1979, INCLUSIVE.

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RESOLVED, that the recommendation of the



Chief of Police that Sergeants Ronald Jackson, Carl P. Peters, and Police Officers Henry Kirk, Michael McElligott, Jeremiah Morgan, and Robert Sudano, Crimes Specific Task Force, be detailed to attend the Advanced Special Weapons and Tactics Training Course, at Santa Rosa, California, from June 18, 1979 to June 22, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Sergeants Ronald Jackson, Carl P. Peters, and Police Officers Henry Kirk, Michael McElligott, Jeremiah Morgan, and Robert Sudano, Crimes Specific Task Force, in a sum not to exceed \$247.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 363-79

AUTHORIZING ATTENDANCE OF LIEUTENANT VICTOR MACIA, INVESTIGATIONS, YOUTH SERVICES, AT THE NATIONAL YOUTH WORKERS' CONFERENCE AT SAN FRANCISCO, CALIFORNIA, FROM JUNE 6, 1979 TO JUNE 9, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Victor Macia, Investigations, Youth Services, be granted permission to attend the National Youth Workers' Conference at San Francisco, California, from June 6, 1979 to June 9, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Lieutenant Macia, Investigations, Youth Services, in a sum not to exceed \$80.00, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

The members of the Commission, having received, amended and returned copies of the minutes of the meeting of April 18, 1979, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins





CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "Mr. President, members of the Commission, I would like to report to you that Staff is in the process of preparing for submission to you and to Mayor Feinstein, an in-depth critique of the activities of Monday night when the riot occurred at City Hall, and a separate report of a critique of the activities at Castro, the mid-Tuesday morning following that. We hope to have the critique finished by the end of next week, and will have, if we can get all of the tapes transcribed and all of the material completed by that time. But we will do it as expeditiously as we can."

Commissioner Ciani: "Will this be turned over to the Blue Ribbon Committee? How is this Blue Ribbon Committee supposed to operate, do you know? Is this going to duplicate what they are doing?"

Chief Gain: "No."

Commissioner Siggins: "Well no, we have a job, if I may express my views, we have a job within the Department no matter what any Commission does and we are going to do it Chief, and we want our report and the copy can go to the Mayor but we want to see our report, we want to review that report, and we want to do it as deeply and as thoroughly as possible, because that's our job. I know that the Committee that the Mayor has appointed is going outside of the Police Department for matters that may be the cause, and so forth. We have internal problems within the Department that we want to analyze and I had anticipated that we might get it before tonight because I know I talked to you (Chief) yesterday afternoon and I know you weren't able to get it."

Chief Gain: "No we can't, and for a couple of predominant reasons, one, we have to obtain reports from persons not members of the San Francisco Police Department which is a central part of the critique because of observations of what occurred. And then secondly, we are literally transcribing all four channels, 8 hours of transcription on four channels, which is essential to determine all of the activities that took place that night because, obviously, it was not a planned event. Therefore, in order to capture transmissions which were significant, we are transcribing them. All those transcriptions will be done, which is a monumental task, by Friday. Now there has already been a review of some of the pertinent tape recordings but we are going to do the whole thing on all four channels, we will have that Friday. So, a great deal of work has been done and we are going to have to have that and then, hopefully, this weekend or the early part of next week, we will have all of the data so that we can start the actual writing of the report and complete it. And our target date is in the next week, the only



thing that will hold it up will be time, that's all, because they take time to do."

Commissioner Toler: "Chief, will the Commission have a chance to peruse the report before it goes to the Mayor?"

Chief Gain: "Yes, well once the report is submitted to the Commission it becomes a public document. Once it is submitted to the Commission it is a public document. The purpose of the report is a Staff report, of course, to the Commission that's what it's for. But once we produce a report it's a public document and if a person asks for a copy of that report, anyone, then as far as I know, the law and our own rules, we have to make that available. Be it news media persons or whom-ever wants a copy, but it's to the Commission. It's just like these agenda items, unless it is within the classification of a Personnel Matter, we can't withhold a public record. But the specific purpose again is a pro forma, but necessary report, to the Police Commission of the actions which took place and we will point out whatever deficiencies, or whatever, that were realized during that night of whatever nature, whether it be Communications difficulties, as for example, we did not obtain from the Hall of Justice the loud speaker hailer that we have, never did, and that type of deficiency will be highlighted. So it will be as thorough a review, and as objective as we can possibly make it."

Commissioner Murphy: "I believe there are two incidents that are somewhat separated. It seems to me what happened in front of City Hall is different than what happened on Castro Street."

Chief Gain: "Oh, they were totally separated in time."

Commissioner Murphy: "Yes, then I would like to ask that we get the City Hall one that is more or less on its way now as soon as we can possibly get it and not wait for the whole report to come."

Chief Gain: "The first one will be the City Hall report and then the second one will be Castro Street."

Commissioner Murphy: "And when did you think you might have that ready?"

Chief Gain: "Which one, the first one?"





Commissioner Murphy: "The first one, yes."

Chief Gain: "In the next week, if we can. As I say, it's a product of time and that's all there is to it. I have had Staff working on it ever since last week and they worked all weekend on it and are still working on it. So there is no unnecessary delay taking place but just necessary time to get it done."

Commissioner Murphy: "What kind of tapes are you talking about, the radio and.....?"

Commissioner Sanchez: "Radio tapes."

Chief Gain: "Communication transmission tapes from the Communications Section of the police personnel and particularly, of course, between police personnel."

Commissioner Sanchez: "Or through the Chair, I would hope that part of the findings of the report as far as the events and other variables as factored out as equipment and manpower would list sort of an up-to-date status report on the extent of injuries of men and women within the department and the nature of those injuries and, also, a fairly comprehensive profile of perhaps status of equipment whether it be radios, cars, whatever. There has been a lot of speculation about cost variables, or men and women injured, or whatever, and I think that if, perhaps, we could have the hard data so this way we could review it and then at that time make a rational statement, you know, having the facts before us, I think it would be in the best interest of, basically, the Department and the City."

Chief Gain: "That will all be in the report."

Commissioner Siggins: "Good idea."

Commissioner Murphy: "Also, would this be in the report that of those persons arrested we would be given some identification? For example, I have heard that the 'Rebel Workers' had provocateurs among the group, and that the White Panthers had some people there."

Chief Gain: "That is not the primary focus of our report, there is a criminal investigation underway in regards to who was involved and whatever. So that is not the primary focus. The primary focus of our report is on actual police activities, the damage which occurred, and things of that nature, not that we are not interested in





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that, but that's a matter of a whole separate investigation that's underway."

Commissioner Murphy: "And when would that report be available?"

Chief Gain: "I don't know. I don't know."

Commissioner Murphy: "When you say the police are doing it, our police are doing it?"

Chief Gain: "Yes, our Inspectors, they are involved in it, and the District Attorney's Office is involved in it."

Commissioner Murphy: "Yes, I see. Well maybe we can know later on when it is complete."

Chief Gain: "TV film footage has been subpoenaed before the Grand Jury and so on, so that's going on."

Commissioner Murphy: "It seems to me that's one of the very important parts of the inquiry, as well as what the police have done."

Chief Gain: "Yes, but that's not the primary focus of our report though."

Commissioner Murphy: "Yes, but that's what we do want eventually. Okay, and that has no date on it I take it?"

Chief Gain: "No, that is going to be a product of time, there is no target date on that."

Commissioner Siggins: "Any other questions of the Chief?"

Commissioner Murphy: "We've received a letter from Gil Boreman the other day, all of us did, about what the Commission does and it's usefulness and that sort of thing. The Fire, Police and Safety Committee of the Board of Supervisors have asked us to appear on the Fire, Police and Safety Committee."

Chief Gain: "June 14th."



Commissioner Murphy: "Yes. Has any work been done on that?"

Chief Gain: "Who's working on that Chief DeAmicis? Planning and Research is working on it."

Deputy Chief DeAmicis: "Yes, and they have been in contact with the Secretary right along in gathering all of the statistics and information necessary."

Commissioner Murphy: "I hope that we would have it in time to really study it and maybe we would have it in time, and maybe have some input into it since we are Commissioners. We might have some ideas about what we think."

Chief Gain: "Well, that's essential, it's the Commission that has to respond. It's going to have to be a Commissioner, along with whatever appropriate Staff that would presumably have to attend that meeting, and what they requested was written material preceeding the meeting."

Commissioner Murphy: "Yes, but I would like to see the written material in advance."

Chief Gain: "I can well appreciate your emphasizing that and we'll get it in advance."

REQUESTING APPROVAL OF NEW CONTRACT FOR PARTICIPATION  
IN THE POLICE INFORMATION NETWORK.

Chief Gain: "Deputy Chief Amoroso is here to review that and respond to questions Commissioners."

Commissioner Siggins: "Well, we do see that it is set out here, that we have been a member participating in the program for ten years and now there is going to be an increase. That the County of Alameda has, the Sheriff's Department, I guess, of Alameda, has decided to put in, instigate, and you recommend that we continue with the program and then we go along with the increase. And the estimated cost would be, what, \$100,000?"

Deputy Chief Amoroso: "We would need \$100,000 additional over the budgeted cost that we predicted for the year, estimated for the year."

Commissioner Siggins: "What did we budget it for?"





Deputy Chief Amoroso: "I think it was approximately \$94,000.00, about \$93,000 and something. What happened is they added a charge that didn't exist before and that is the deletion charge of \$1.00 for every warrant that is deleted from the system outside of the normal semi-annual dump where we purge every 6 months many of the unserved warrants. But for every warrant that is served or is deleted for any other reason at any other time during the period of the year, we are to be charged a dollar. We really didn't get a satisfactory answer to that, they gave us all kinds of figures and yet there is no justification for a \$1.00 per transaction cost for deleting a warrant."

Commissioner Toler: "Do you have very many deletions?"

Deputy Chief Amoroso: "We have approximately 7,000 a month. Warrants have to be deleted and that's where they have us over the barrel."

Commissioner Ciani: "Have they projected some cost that ~~they~~ they expect to off-set with this additional funding? How is it that they justify asking for this?"

Deputy Chief Amoroso: "They just justified it by stating that there were rising cost, if I remember correctly, and I didn't get a specific reason."

Commissioner Ciani: "Have they changed the scope of their activities or increased personnel?"

Deputy Chief Amoroso: "No, but I think there was an impact when the State took over some of the parking. What used to be parking warrants now become holds, if you will, on a registration of a vehicle. And that reduced the warrants to some extent, but they didn't give us what we consider a satisfactory answer. Lieutenant Weiner, who is our PIN expert, might be able to answer it a little bit more elaborately."

Lieutenant Weiner: "We first found out about the increase at the end of March. That was in the form of a meeting that came up with the Police Information Network Committee that meets monthly in Alameda County in Oakland. And Officer Hugo, who is our representative, went over, came back and gave me a report, a verbal report. At that time I went and contacted Lieutenant Al Mitchell of the Alameda County Sheriff's Department, who is the Chairman of the PIN Committee in Alameda, and requested a





meeting to find out the reason for the cost increase. We were never informed that there was a study going on. We were never informed that there was a contemplated rate increase. Officer Hugo and I went over the 1st week in April and talked to Lieutenant Mitchell. I am a great negotiator as far as trying to cut cost, and I went over there trying to get a cut in the cost, and it was intimated to me that the cost was there and if we didn't like it, that was it. I objected very strenuously on behalf, I think of all Departments that are members of PIN that had submitted budgets to the various Departments, I didn't use very colorful language, but this stunk, for the simple reason that most people have put in their budget appropriations and this increase is kind of unfair without notifying members of PIN that there was going to be an increase and the reasons for same. The reasons we got are the cost....the cost of the system, increased cost, and I will have to say in defense of PIN that since I can remember, and I was one of the founding fathers of PIN as far back as 1964, that there has been no basic increase in the PIN charges over that period of time. PIN is a very vital law enforcement tool. The amounts of money that we are asking for and that the additional \$100,000, I do not honestly believe that we will use that amount of money. There are no more parking warrants being issued by the Courts in San Francisco, they are depending on the DMV stops in Sacramento. I do not know whether there will ever be another parking warrant issued in San Francisco. There is also a move afoot to stop issuing moving violation warrants in the City and County of San Francisco and depend on the stops of drivers licenses. And I went down and opposed this hoping that they don't do this, but if these particular things do happen, by the end of this year we will be down about another 66,000 warrants. So I do not think you'll do that, I think it's a very vital law enforcement tool and I ask you to keep it. It more than pays for itself with Bail Monies and persons brought into custody."

Commissioner Siggins: "CABLE just doesn't cover it?"

Lieutenant Weiner: "No, CABLE is a San Francisco system and when you query PIN, all our machines, the query PIN which, in turn, queries CABLE, which in turn, queries NCIC, which in turn, queries CLETS. CABLE will not, if we are blocked out of PIN, we are blocked out of the Bay Area and the other things. We do enter things into NCIC and CLETS but they are the criminal warrants and only the criminal warrants that we will intend to return people on are all felonies."

Commissioner Siggins: "Okay."



Deputy Chief Amoroso: "The system involves the 9 Bay Area Counties and as a result any officer in any county that can access PIN, can serve either our warrants or we can serve their warrants. But this system, if we put it in CABLE, would not provide access to any other county. And 20% of our warrants are served by other counties."

Commissioner Sanchez: "Or through the Chair, if I might, I would just like to thank the Lieutenant and also the Deputy Chief for giving us this insight. I just wish we had more time and perhaps a regular period on the agenda where we could get information on items like this that are key critical law enforcement tools so we could better understand the ramifications of the full department. But I would move that we move items 5 and 6 for the supplemental appropriation of \$100,208.00."

Commissioner Siggins: "Could I just say, I find I just don't like the wording of the Resolution in Appendix II, where it says, 'even at double the previous cost.'"

Deputy Chief Amoroso: "It literally does, but I can understand that. There are two resolutions, one to extend the contract and one to allow the Chief of Police to write a letter telling them that we go along with the temporary agreement until the Board of Supervisors appropriate the additional necessary funding."

Commissioner Sanchez: "Or perhaps we could just delete at the option of the Chair the statement, 'is an advantage even at double the previous cost,' and then just leave it 'and approves continued participation,' and then the other Resolution which would be Appendix IV, 'The Commission hereby approves the request for a supplemental appropriation of \$100,208, etcetera,' would that be sufficient?"

Commissioner Ciani: "Well then, there is Appendix VII."

Commissioner Sanchez: "Okay, and Appendix VII also."

Commissioner Siggins: "Okay, so your motion would be Commissioner Sanchez?"

Commissioner Sanchez: "The motion would include the resolve with the deletion of, 'even at double the previous cost,' and then add the Appendices IV and VII as so written unless there is a deletion or change by the Department."





Commissioner Toler: "I would second that motion."

Commissioner Siggins: "Okay, all in favor? Unanimous ayes. Does that cover it now Chief?"

Deputy Chief Amoroso: "That covers the PIN agreement, right, the second part of that, the next number on the agenda is to allow the Chief of Police to send a letter telling them that we would like to start on a month to month basis with the money that is already appropriated by the Board of Supervisors."

Commissioner Siggins: "Well, we approved Appendix VII."

Deputy Chief Amoroso: "Okay, well then, that's both articles. We are in the next one also."

RESOLUTION NO. 358-79

REQUESTING APPROVAL OF NEW CONTRACT FOR PARTICIPATION  
IN THE POLICE INFORMATION NETWORK.

RESOLVED, that the Police Commission has determined that continued participation in the Police Information Network (PIN) is an advantage, and approves continued participation under a new contract beginning July 1, 1979.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 360-79

REQUESTING APPROVAL OF NEW CONTRACT FOR PARTICIPATION  
IN THE POLICE INFORMATION NETWORK.

RESOLVED, that this Commission authorizes and directs the Chief of Police to pay Police Information Network 1979-80 rates on a month to month basis for participation in the Police Information Network beginning July 1, 1979, and continuing until execution of a Joint Powers Agreement, and to inform the Alameda County Sheriff by letter of this resolution.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins





RESOLUTION NO. 359-79

REQUEST FOR SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$100,208.00 TO PROVIDE ADDITIONAL FUNDS TO INCREASE THE AMOUNT PROVIDED FOR THE POLICE DEPARTMENT'S PARTICIPATION IN THE POLICE INFORMATION NETWORK.

RESOLVED, that the Police Commission hereby approves a Request for Supplemental Appropriation in the amount of \$100,208.00 for the purpose of providing the additional funds necessary to participate in the Police Information Network during the 1979-80 fiscal year.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

REQUESTING APPROVAL OF A PRISONER TRANSPORTATION CONTRACT ENTERED INTO BY THE CITY AND COUNTY OF SAN FRANCISCO WITH THE COUNTY OF LOS ANGELES.

Commissioner Siggins: "I have received Lieutenant Weiner's recommendation here and this projects quite a savings to the city."

Deputy Chief Amoroso: "I am particularly pleased with this in that our Lieutenants in the Warrant Section came up with this proposal, and it was started by Lieutenant Eidler, and it was followed through by Lieutenant Weiner. And this is very definitely a money saving proposition to the City and County of San Francisco, and it saves money and crates efficiency with the savings of personnel time that are involved in it. We expended approximately 323 dollars from each pickup, and I think so far this year we could have saved \$8,000 dollars, and \$17,000 dollars last year."

Lieutenant Weiner: "If I might, just as an example this year, currently there were 23 trips made that could have been picked up by the Los Angeles Sheriffs and the cost was about \$7,000 dollars had we been in the Sheriff's system, the cost would have been \$1,213 or an approximate savings of \$5,800 hundred dollars. I think I ought to add that there will be times when we will still have to go down there to pick up prisoners depending on their schedule, and I think I should also add that there is a move afoot with the Department of Justice for a statewide transporaation system, and I think that is the thing that is coming in the future. And I also, if I might add one more thing, there is an order going to come out assigning all transportation, I believe, to my unit and this would just add to the efficiency of that."



Commissioner Siggins: "What's the five day rule, or how does that work?"

Lieutenant Weiner: "Well not being an attorney, my understanding of the ruling is that we have 5 days from notification by the outside agency to pick up a prisoner, and we have just checked with our Legal Office yesterday, I think it is Section 10 and Section 12 of the Code of Civil Procedure, and I believe it is about 815 of the Penal Code which sets out those rules, and if we are notified say today at 8 o'clock in the morning we start counting the first day as of 8 o'clock tomorrow morning, and we are allowed that five day period to pick that subject up to bring him back unless the last day falls on a Sunday, or a holiday, and then we are allowed an extra day. And we have had jurisdictions that have notified us not even one day ahead of time that the time has run out and we have had to send people down. But this centralizing it in one spot will make it a lot easier for everybody."

Commissioner Toler: "Through the Chair, what happens after 5 days?"

Lieutenant Weiner: "They will release them. If we don't pick them up the jurisdiction will, for want of a better word, kick them out."

Commissioner Murphy: "Even a convicted person?"

Lieutenant Weiner: "That's correct. Due process and the swiftness of the law is wonderful. It has been the law for many, many years. It has been very, very workable in most instances."

Commissioner Toler: "If the criminal stays there 5 days do we pay for lodging?"

Lieutenant Weiner: "No, no. This will, with Los Angeles doing this, will greatly aid us in that particular period of time in picking prisoners up."

Commissioner Toler: "I move approval."

Commissioner Murphy: "Second."

Commissioner Siggins: "Okay, all in favor?"

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins





RESOLUTION NO. 361-79

REQUESTING APPROVAL OF A PRISONER TRANSPORTATION  
CONTRACT ENTERED INTO BY THE CITY AND COUNTY OF  
SAN FRANCISCO WITH THE COUNTY OF LOS ANGELES.

RESOLVED, that the Police Commission hereby requests the Board of Supervisors adopt a resolution approving a contract for prisoner transportation entered into by the City and County of San Francisco with the County of Los Angeles.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

Commissioner Sanchez: "Or through the Chair, if perhaps I might just throw out something for thought among the Commission or maybe the Chief. I was just wondering as I was listening if it might not be possible for the Chief to at least consider if he might not have an award, something like a citation of excellence for men and women who are not involved in day to day street patrols, or whatever. We give like, you know, Meritorious Awards, the Gold, Bronze, and etcetera, and we have a number of creative men and women in the Department who are, you know, are saving us money with their ideas such as the Lieutenant here, and I wonder if perhaps somewhere we might at least be able to consider something like a Citation of Excellence which might have, you know, some gratitude or whatever on behalf of the Commission because, basically, the whole Department plays a very important role in Law Enforcement and I really think we should take a look at all of our men and women in various jobs they are undertaking in order to insure quality of law enforcement in San Francisco. I would just like to share this with my colleagues."

Chief Gain: "Good point Commissioner. We have a General Order in Planning and Research now, a proposed revision of our current order on Medals of Valor, and whatever, which will include additional categories, one of which will accommodate that. We are coming up with something like a Meritorious Medal for activity and duty which doesn't amount to getting engaged in heroic activity, and for Certificates of Appreciation and things of that nature, so that's very on point. That's in Planning and Research now as a pending project."





RESOLUTION NO. 362-79

REQUEST OF MR. LOUIS J. PONTI FOR PERMISSION TO INCREASE THE PASSENGER CAPACITY OF HIS JITNEY BUS FROM TWELVE (12) PASSENGERS TO FIFTEEN (15) PASSENGERS.

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WHEREAS, Mr. Louis J. Ponti requested by letter a hearing before the Police Commission for permission to increase his passenger capacity from twelve (12) passengers to fifteen (15) passengers; and

WHEREAS, the Police Commission, after hearing a favorable report from the Police Department's Permit Bureau regarding Mr. Louis J. Ponti's capability of increasing his passenger capacity and of having purchased the appropriate amount of insurance to cover such increase, approves Mr. Louis J. Ponti's request; therefore be it

RESOLVED, that it is the order of the Police Commission that the request of Mr. Louis J. Ponti for permission to increase his Jitney Bus passenger capacity from twelve (12) passengers to fifteen (15) passengers, be, and the same is hereby approved; and be it further

RESOLVED, that said increase of passenger capacity is subject to review by the Police Commission on August 15, 1979, and if proven satisfactory, approval will be granted thereafter for a period of one (1) year, from August 15, 1979 to August 15, 1980.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

REQUEST OF PATROL SPECIAL OFFICER DAN MORRIS, MISSION POLICE DISTRICT FOR PERMISSION TO TAKE A LEAVE OF ABSENCE - CONTINUED FOR ONE WEEK FOR MORE INFORMATION.

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AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

CONSIDERATION OF TERMINATION OF TEMPORARY EMPLOYEES. TERMINATION OF NANCY FADHL, TERMINATION OF DENNIS DOUGHERTY, TERMINATION OF PETER J. WHITCOMB.-HELD OVER.

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Chief Gain: "Commissioners, Mr. Wilson is here to



give a status report."

Lawrence Wilson: "We have eight individuals before the Commission on this matter of the termination of temporary employees. On three of the individuals we have received complete statements from their attorneys which puts forth the basis of which they are appealing the Chief's decision. We are in the process of completing the response to those decisions and we expect at least two of them to be on the calendar next week, and perhaps, a third. From two others we expect a complete statement by the 7th of June, which would be Thursday, a week from tomorrow. One man's attorney has requested an extension until the 15th of June to make his response. Due to late notification, the man was delinquent in finding an attorney and the attorney has requested an extension, and I believe this is in your correspondence file for you to act upon. We have received....sent a letter on May 14th to another individual informing him that he had 15 days to make a complete response and we don't have a response from him at this time. We are expecting a response from the 8th individual, from his attorney shortly, I had a conversation with his attorney today and he said that he would have a statement to us within the next couple of days."

Commissioner Siggins: "There is still a quirk in the law as you pointed out in an earlier letter."

Chief Gain: "Yes sir, in the City Charter. What it amounts to in the City Charter, the Department Head can appoint, or remove, temporary employees with the approval of the Police Commission. I did not have knowledge of that of their status. So it is a quirk with temporary employees because with Ad Valorem Funded Q2 Police Officers it is a matter of the Department Head having the authority to terminate during the probationary year without recourse to the Commission."

Commissioner Siggins: "Yes, and because these people were hired under Federal Funding, they are temporary employees."

Chief Gain: "Temporary employees, the plan is yet, in regard to numbers of police officers whom we have under Federal Funding that they will come under Ad Valorem Funding in June or July, that money will run out."

Commissioner Murphy: "Well then, our hearing on three of the cases will be on the 7th, is that correct?"





Lawrence Wilson: "The 6th, I believe."

Commissioner Siggins: "Are there any hearings tonight?"

Lawrence Wilson: "No sir."

Commissioner Siggins: "Alright, well one of the....."

Chief Gain: "Officer Dougherty is here."

Commissioner Siggins: "Dougherty is here, yes, and has that been scheduled?"

Lawrence Wilson: "That one is set for next week. I had a discussion with Mr. Dougherty about it today and informed him that there would not be a hearing tonight."

Commissioner Siggins: "Okay."

Chief Gain: "Of course the Commission is to decide the scope, or extent, of the hearing that you wish to have."

Commissioner Siggins: "Yes, alright."

Lawrence Wilson: "The Hearing will not be next week. Mr. Dougherty's statement and the Department's response will be before the Commission, you will receive it in your packet on Friday for review prior to the meeting on Wednesday, and at that time Mr. Dougherty will be present, a representative of Mr. Whitcomb will be present, you will have a chance to review their statements, and our response to the statements, and you can decide then how much of a hearing they will have, and when you want to have that hearing, and what further information the Commission feels it wants in assisting it to make a decision whether to approve the Chief's decision or not."

Dougherty and Whitcomb's matter was continued for one (1) week.

Fadhl's matter was continued until at such time to allow Mr. Wilson to obtain further data in response to her attorney's letter on reasons Fadhl should not have been terminated.





At this point the matter of Sergeants Charles Gale, Joseph Cuneo and Police Officer Albert O'Keefe was discussed for the purpose of setting a date for their disciplinary hearings. Mr. Stephen Bruce Bley, the attorney of record for the three officers was present and in concurrence with the Commission and the Department, set June 20th, 1979 as the date for the three officers hearing.

CONTINUATION OF THE HEARING OF POLICE OFFICER  
NELSON LUM, CENTRAL POLICE STATION

The hearing of Police Officer Nelson Lum, Central Police Station, was called, it having been continued from the meeting of May 9, 1979.

Mr. Lawrence Wilson, Prosecutor for the Police Department, stated that he was unable to contact Mr. Pat Duffy, prosecution witness, who was being cross examined by the Defense when the meeting adjourned at the prior hearing.

Mr. Stephen Bruce Bley, attorney for the Defense, objected to continuing the hearing because of the absence of Mr. Duffy, stating it would severely handicap the case for the Defense.

The Commission, after some discussion, decided that the case should proceed. The following witnesses were called by the Prosecution, sworn and testified:

Police Officer Nelson Lum  
Central Police Station

Police Officer Francis J. Murphy  
Central Police Station

The Commission, after listening to testimony from the above-named persons, stated that the hearing was not getting to the point of resolving the evidence against Police Officer Nelson Lum.

Upon motion by Commissioner Sanchez seconded by Commissioner Murphy, the Commission ordered the Charges as filed in Specification No. 1, against Police Officer Nelson Lum, Central



Police Station, be, and the same hereby dismissed.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

CONTINUATION OF THE HEARING OF POLICE OFFICER FRANCIS J. MURPHY, CENTRAL POLICE STATION

The hearing of Police Officer Francis J. Murphy, Central Police Station, was called, it having been continued from the meeting of May 9, 1979.

Mr. Lawrence Wilson, Prosecutor for the Police Department, stated that he was unable to contact Mr. Pat Duffy, prosecution witness, who was being cross examined by the Defense when the meeting adjourned at the prior hearing.

Mr. Stephen Bruce Bley, attorney for the Defense, objected to continuing the hearing because of the absence of Mr. Pat Duffy, stating it would severely handicap the case for the Defense.

The Commission, after some discussion, decided that the case should proceed. The following witnesses were called by the Prosecution, sworn and testified:

Police Officer Nelson Lum  
Central Police Station

Police Officer Francis J. Murphy  
Central Police Station

The Commission, after listening to testimony from the above-named persons, stated that the hearing was not getting to the point of resolving the evidence against Police Officer Francis J. Murphy.

Upon motion by Commissioner Sanchez, seconded by Commissioner Murphy, the Commission ordered

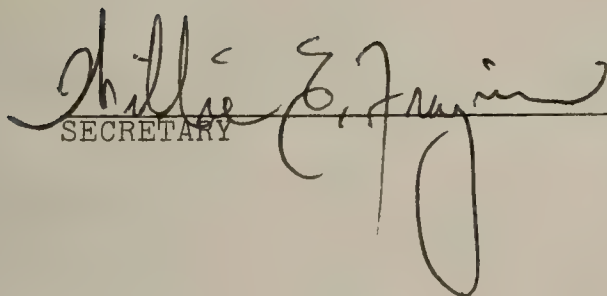


the Charges as filed in Specifications No. 1 and 2, against Police Officer Francis J. Murphy, Central Police Station, be, and the same hereby dismissed.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

The Commission then adjourned its meeting at 2020 hours.

  
SECRETARY





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4 JUNE 1979

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SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in the 6th floor Auditorium, at the Hall of Justice, 850 Bryant Street, on Monday, June 4, 1979, at 1730 hours, in Special Session.

PRESENT: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

Commissioner Siggins presiding.

JUN 17 1979  
PUBLIC HEARING ON APPLICATIONS TO DETERMINE PUBLIC CONVENIENCE AND NECESSITY FOR THE ISSUANCE OF VEHICLE FOR HIRE PERMITS WAS CALLED FOR HEARING IT HAVING BEEN CONTINUED FROM THE MEETING OF MAY 14, 1979.

Commissioner Murphy: "How many people do we have signed up?"

Lieutenant Frazier: "Well, we have five people that are left over from the last meeting that indicated a desire to speak."

Now, I have been approached by a few others who just tonight, who want to make an addendum to some of the things they have already said."

Commissioner Murphy: "They have already testified however?"

Lieutenant Frazier: "That's correct."

Mr. Robert Byrne: "I think there are a few in addition that have not yet testified that want to say something; isn't that correct?"

Commissioner Murphy: "How many additional?"

Lieutenant Frazier: "That's right. We have thought about six that were left over from the last meeting who signed the request to speak cards."

Commissioner Murphy: "Why don't we start with them. Ask them to come forward, then when President Siggins comes, we'll see if he wants to go on with the rest of them."

We have a quorum here."



Lieutenant Frazier: "Mr. Joe Labrador."

Mr. Joe Labrador: "My name is Joe Labrador and I have notes here that I had last week, last time we met, and I misplaced them.

I just came in. I was not ready for this."

Commissioner Murphy: "All right. Why don't you wait a minute. We'll take the second person."

Mr. Labrador: "I have got it."

Commissioner Murphy: "You have got them."

Commissioner Ciani: "Are you listed on this list, are you an applicant?"

Mr. Labrador: "No, I am one of the Yellow Cab owners."

Commissioner Ciani: "So, you're speaking against."

Mr. Labrador: "I am speaking against, yes."

Commissioner Murphy: "Weren't we going to have the ones that were going to speak for or who are applicants for permits?"

Robert Byrne: "I think we finished that last week."

Lieutenant Frazier: "Those people have already spoken. However, there are some in the group, like I mentioned earlier, that had an addendum to what they had said."

Commissioner Murphy: "Let's hear from them then."

Lieutenant Frazier: "Which ones?"

Commissioner Murphy: "The addendum ones."

Lieutenant Frazier: "I believe Mr. Costello is first."



Speakers: Pro:

Donald Costello, Attorney - Presented  
letters and petition  
as exhibits as proof  
of the needs for addi-  
tional taxi permits.

Robert Cesana

Joe Velasco Martinez

Albert Ruiz

Thomas Ivan Kreipe

Joel C. Lipkins

Anderson Seto

Francisco Zelotto

Thomas Duncan

Al Leung

Dirk Neyhart

Lieutenant Frazier: "Okay. The first speaker that  
is speaking against the issuance is Mr. Joe Labrador."

Speakers: Con:

Joe Labrador

Norman Lew, Attorney - Presented Evidence:  
Memorandum in Opposition  
to Taxi Cab Permit Appli-  
cations with complete set  
of exhibits.

Ms. Rose Resnick - Executive Director of the  
California League for the  
Handicapped.

Anthony Agpaoa - Administrator of Senior Cit-  
izen Escort Service.

James Allen - Rose Cab Co., and Airport Sup-  
ervisor.

James P. Weller - Yellow Cab Owner

Arthur Lempke - Owner-driver.

Mike Parrish - Chauffeur's Union

Commission President arriver.





Commissioner Siggins: "The Commission now has had the hearing of the applicants, heard those opposed. We direct the staff to examine the evidence that is presented here, both in an oral and from documentary testimony and to prepare for us and we would expect that report--or would you tell us at the next Commission meeting when you could have that report?"

Robert Byrne: "President Siggins, we have prepared a report which we have prepared to submit and offer into evidence this evening.

I can certainly give a presentation of the salient points in that report."

Commissioner Siggins: "You have a -- tonight there was some documentary evidence introduced and that was--."

Robert Byrne: "We would have to produce a supplement to that.

We have produced, based on what we heard last week and studies prior to that, prepared a report. If you wish us to respond to what was presented tonight, we'd be happy to do so in addition."

Commissioner Siggins: "I would anticipate that all the evidence would be digested by staff."

Robert Byrne: "Fine. We can present a supplement if you so desire."

Commissioner Siggins: "I think that is the way it should be done."

Robert Byrne: "Fine."

Commissioner Siggins: "The report of the staff, I think, can be presented at the Commission meeting."

Robert Byrne: "I think that would be appropriate."

Commissioner Murphy: "At a regular Commission meeting which is on a Wednesday night."

It wouldn't be ready for this next Wednesday?"



Robert Byrne: "That would only give us two days, Commissioner.

Perhaps the Wednesday a week from....."

Commissioner Siggins: "How do we stand on that?"

Lieutenant Frazier: "The 20th or the 13th?"

Commissioner Siggins: "The 13th?"

Lieutenant Frazier: "Yes. We only have one hearing, disciplinary hearing scheduled and that might not go."

Commissioner Siggins: "The 13th."

Robert Byrne: "Fine."

Commissioner Siggins: "Then we shall, let's put that earlier on the calendar so we can -- "

Lieutenant Frazier: "That would be for the 13th of June at about what, 4:30 p.m?"

Commissioner Siggins: "6:00 o'clock that we would come to this item."

Lieutenant Frazier: "6:00 p.m., June 13th, a continuation of the Public Convenience and Necessity hearing staff report."

Commissioner Siggins: "Okay."

From the Audience: "What about the disposition of the taxicab permits and the people that have died?"

Robert Byrne: "We have that information. Will that be here or in the----?"

Lieutenant Frazier: "In the regular hearing room, 551 down on the fifth floor."

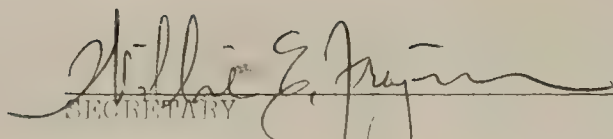
Whereupon, the meeting was continued to



June 13, 1979 at 6:00 p.m., In Room 551.

(The entire proceedings were taken in shorthand form by Hearing Reporter Linda Pransky, C.S.R.)

The Commission then adjourned its meeting.

  
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SECRETARY





6 JUNE 1979

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, June 6, 1979 at 1730 hours in regular session.

PRESENT: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

Commissioner Siggins presiding.

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

3932 MISSION STREET - BROUSSARD'S INTERIORS

- a) At 3932 Mission Street, install a 22' yellow zone, extending from south property line 22' north of same.

4112 GEARY (5th AVENUE) - CAFE CIGHERO

- a) At 4112 Geary Boulevard, install a 22' white zone, extending from 6' to 28' north of south property line.
- b) Sign to be put on meter "Passenger Zone 6 P.M., to 12 Midnight."

645 MONTGOMERY STREET - LAFAYETTE RESTAURANT

- a) At 645 Montgomery Street, install a 22' white zone, extending from 21' to 43' south of Washington Street.
- b) Revoke 38' Special Truck Loading Zone, extending from 21' to 59' south of Washington Street.



315 PACIFIC - DETERMINED PRODUCTION INC.

- a) At 315 Pacific, install a 22' yellow zone, extending from 23' to 45' west of east property line.
- b) Revoke existing 44' Special Truck Loading Zone, extending from east building line 44' west of same.

580 CAPP STREET - BETHANY CENTER SENIOR HOUSING INC.

- a) At 580 Capp Street, revoke existing 20' white zone, extending from 55' to 75' north of 21st Street.

1335 GRANT AVENUE - HOO WAH FLORIST - DENIED

- a) At 1335 Grant Avenue, install a 22' yellow zone, extending from north property line 22' south of same. DENIED.
- b) Remove meter #1315. DENIED.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Higgins

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 102 feet of yellow and white zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Higgins

RESOLUTION NO. 365-79

SAMUEL MIKULIN AND HIS ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Samuel Mikulin and his Attorney in the sum of \$250.00 in Superior Court Action No. 733-913 entitled "Samuel Mikulin and his attorney vs. City and County of San



Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 28, 1977

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 366-79

AUTHORIZING ATTENDANCE OF LIEUTENANT RICHARD TRUEB, OPERATIONS ANALYST ELAINE O'KEEFE, PLANNING AND RESEARCH, AND OPERATIONS ANALYST EMMA STOKES, FIELD OPERATIONS BUREAU, AT THE 1979 POLICE PLANNING AND RESEARCH METHODS WORKSHOP IN SAN FRANCISCO, CALIFORNIA, FROM JUNE 18, 1979 TO JUNE 21, 1979, INCLUSIVE.

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RESOLVED, that the recommendation of the Chief of Police that Lieutenant Richard Trueb, Operations Analyst Elaine O'Keefe, Planning and Research and Operations Analyst Emma Stokes, Field Operations Bureau, be granted permission to attend the 1979 Police Planning and Research Methods Workshop in San Francisco, California, from June 18, 1979 to June 21, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Lieutenant Trueb, Operations Analyst O'Keefe and Operations Analyst Emma Stokes, in a sum not to exceed \$375.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 367-79

TRAVELLING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved:





Deputy Chief Mario Amoroso) \$466.00 (At the 911 Nation-  
Support Services Bureau ) (al Conference at  
(Minneapolis, Minn-  
(esota, from May 16,  
(1979 to May 18,  
(1979, inclusive.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 368-79

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense  
Vouchers submitted by the following-named mem-  
bers of the Police Department for expenses in-  
curred in attending the below-indicated program,  
be, and the same are hereby approved:

Lieutenant Richard D. Klapp )	(At the Basic
and Sergeant Michael S. Hebel) \$172.00	(Course Revis-
Personnel & Training. )	each (ion Consortium
)	(Workshop, at
Dr. Mimi H. Silbert, )	(San Diego, Cal-
Department Training Consult- )	(ifornia, from
ant )	(May 17, 1979
	(to May 18, 1979,
	(inclusive.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 369-79

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense  
Voucher submitted by the following-named member  
of the Police Department for expenses incurred  
in attending the below-indicated program, be, and  
the same is hereby approved:

Sergeant Robert J. Berry) \$172.00	(At the Police Re-
Northern Police Station )	(port Writing Instruc-
	(tor's Workshop at
	(Carmel, California,
	(from May 14, 1979 to
	(May 16, 1979, inclusive.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins



RESOLUTION NO. 370-79

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Police Officer John T. )	\$172.00	(At the Police Re-
Meek )		(port Writing Instruc-
Northern Police Station)		(tor's Workshop, at
		(Carmel, California,
		(from May 14, 1979 to
		(May 16, 1979, inclu-
		(sive.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 374-79

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Police Officer Michael Chan)	\$620.20	(At the Firearm
Personnel & Training )		(Instructor's
		(Course at Eureka,
		(California, from
		(May 7, 1979 to
		(May 18, 1979, in-
		(clusive.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 375-79

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member



of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Assistant Criminalist)	\$293.00	(At the Criminalistics
Bruce Fukayama	)	(Workshop in San Diego,
Crime Laboratory	)	(California, from May
		(9, 1979 to May 12,
		(1979, inclusive.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 371-79

EXTENDED LEAVE OF ABSENCE WITHOUT PAY PENDING  
HEARING OF CHARGES - APPROVED

WHEREAS, Sergeant Joseph Cuneo, Support Services-Records, was suspended without pay, effective at 1530 hours, Thursday, January 18, 1979, pending hearing of the charges before the Police Commission; and

WHEREAS, Sergeant Joseph Cuneo has requested an extended Leave of Absence Without Pay pending hearing of the charges before the Police Commission; therefore be it

RESOLVED, that Sergeant Joseph Cuneo, Support Services-Records, be placed on an extended Leave of Absence Without Pay at his request for a period of ninety (90) days commencing May 18, 1979, until his hearing is held before the Police Commission.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 372-79

EXTENDED LEAVE OF ABSENCE WITHOUT PAY PENDING  
HEARING OF CHARGES - APPROVED

WHEREAS, Sergeant Charles Gale, Support Services-Records, was suspended without pay effective at 1530 hours, Thursday, January 18, 1979, pending hearing of the charges before the Police Commission; and





WHEREAS, Sergeant Charles Gale has requested an extended Leave of Absence Without Pay pending hearing of charges before the Police Commission; therefore be it

RESOLVED, that Sergeant Charles Gale, Support Services-Records, be placed on an extended Leave of Absence Without Pay at his request for a period of ninety (90) days commencing May 18, 1979, until his hearing is held before the Police Commission.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 373-79

EXTENDED LEAVE OF ABSENCE WITHOUT PAY PENDING  
HEARING OF CHARGES - APPROVED

WHEREAS, Police Officer Albert J. O'Keefe, Support Services-Records, was suspended without pay effective at 1530 hours, Thursday, January 18, 1979, pending hearing of the charges before the Police Commission; and

WHEREAS, Police Officer Albert J. O'Keefe has requested an extended Leave of Absence Without Pay pending hearing of charges before the Police Commission; therefore be it

RESOLVED, that Police Officer Albert J. O'Keefe, Support Services-Records, be placed on an extended Leave of Absence Without Pay at his request for a period of ninety (90) days commencing May 18, 1979, until his hearing is held before the Police Commission.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

The members of the Commission, having received, amended and returned copies of the minutes of the meeting of April 25, 1979, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins



CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "No report Mr. President."

Commissioner Siggins: "Chief, I am concerned about the Department's report to us regarding the events of May 21st, and I think it should be pointed out that it's not complete at the present time, that we are waiting for it, that we expect it before the next meeting."

Chief Gain: "Yes Mr. President, as I explained previously on that report, we had hoped even that first week to get it completed by that week for the next. My recollection is that last week I said our objective was to get it done as soon as we reasonably could and that's still the position that we are in, and we certainly will have the report to you next Wednesday if we can get it completed. There is no procrastination, it is a complex matter and our target date is to have it completed by then."

Commissioner Siggins: "Okay, any other questions of the Chief?"

Commissioner Ciani: "Is it your plan to deliver the report on Wednesday or to deliver it in advance of Wednesday?"

Chief Gain: "We will deliver it to you as soon as we reasonably can. Again, it's our objective to get it to you at next Wednesday's meeting if we possibly can. If it's done Tuesday. If it is not, then it will be delivered to you Wednesday or at the meeting. It's just a no choice thing."

Commissioner Murphy: "Do you foresee the possibility of our needing to have a special meeting of the Commission to review it or not?"

Chief Gain: "Well, I should think the Commission would, of course, want to review the report thoroughly and then it would be your decision, or your pleasure, as to how you wanted to address it thereafter, whether it would be at a regular meeting, special meeting, or whatever you wanted to do."

Commissioner Murphy: "Is it fairly voluminous?"

Chief Gain: "Well, I haven't counted the pages but it does appear to be quite a bit of material."



MEET AND CONFER WITH LOCAL 400 RE: THE HARBOR  
POLICE - HELD OVER

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Mr. Diggins: "Mr. President, members of the Commission, my name is Jim Diggins. I am the business representative of Local 400, and I am here representing the Harbor Police."

Commissioner Siggins: "Yes, Mr. Diggins, we sent out the proposed General Order and then you indicate, on behalf of Local 400, that you wanted to Meet and Confer, and we have the proposed General Order but we haven't heard anything from anybody regarding what, in particular, that you liked, or didn't like, about it, or are you going to talk about the whole thing in general?"

Mr. Diggins: "I only have one point to raise."

Commissioner Siggins: "Oh, okay, fine."

Mr. Diggins: "However, I am only speaking for myself."

Commissioner Siggins: "Well, you are not one of the seven Harbor Policemen, you are speaking for the seven Harbor Police Officers?"

Mr. Diggins: "Yes, however....."

Commissioner Siggins: "I mean, otherwise it would be a status....I don't think it would have any standing to it."

Mr. Diggins: "Alright then, I will speak for the seven. The point that I wish to raise, and that is the removal of the rights of Investigation by the Harbor Police. Now it states in here in this General Order, under Section II, Subsection D, 'Harbor Police Officers shall not make preliminary or continuing investigations at the time reported to them.' I would like to point out that the scope of their duties includes making investigations. I would like to point out to you that on May the 10th, 1977, when Local 400 was engaged in the litigation with the City, Deputy City Attorney Donald Garibaldi wrote our attorney, Robert F. Bezemek, at that time and sent copies to the San Francisco Police Department and then within it he stated, 'Regardless of what officials of the Police Department may believe the duties of Harbor Policemen to be, the duties require persons holding that position are those set forth in the Civil Service





Job Description for that position. We would understand that position to encompass the duties being performed by the Harbor Policemen when that position last existed under the Port Commission.' I phoned the Deputy City Attorney Don Garibaldi today and discussed the situation with him, and he felt that the Police Commission was in some way usurping the powers of the Civil Service Commission who designed the scope of duties for the Harbor Policemen and, therefore, I would ask that you postpone the decision tonight until you get a ruling from the City Attorney."

Commissioner Siggins: "One of the things we like to put together in these Meet and Confer sessions is to know what the problem is and to pinpoint that, to maybe discuss it with the Department and if there is a question like that, to look into it so we can move these things along. And I think that's a good idea that we do that. If it is a Civil Service matter, we have to go back over the history of this whole matter to study it anyway. So let's go back and let's have that done."

Chief Gain: "Yes, Mr. President, there has been many conversations as the representative knows with the Police Department, with Civil Service, and everything else, and we didn't know what was going to be discussed specifically tonight. So I think the issue ought to be framed and then we get it and see if we can resolve it."

Mr. Diggins: "That's the only course I am concerned with."

Commissioner Siggins: "But other than that, there is no problem with salary and working conditions, and things like that. Okay."

Mr. Diggins: "Thank you."

Commissioner Siggins: "Officer, do you have anything that you wanted to bring up?"

Officer Fine: "It was rather in detail and we took certain issues with this letter, and in the letter it stated that they were going to amend Section 830.35 PC. The original section of the Penal Code is 830.3.5 and it was not intended to be thirty five. There are no positions in the Penal Code from twenty-seven to thirty-five, and it was actually intended to be 830.3.5."

Commissioner Siggins: "You mean you think that the comers are in the wrong place? This is making reference to pending legislation. Do you have access



to bills that are....."

Officer Fine: "Yes, through the request of Senator Marks to re-introduce this bill, which is an amendment on January 9th, 1979, this is approximately two years after the court order. We feel that as long as we are going to be Peace Officers on the street, which we are functioning as now under the 830.6, that the Police Department is jeopardizing us against law suits and other items by not clarifying our duties. In our duties as Harbor Police they were pretty well detailed and we would like to state the fact that we are not protected under the Peace Officer Bill of Rights which is limited to 830.1 and 830.2 of the Penal Code, and if we are Peace Officers we should....and working as Peace Officers, we should have the same right. The thing about it now is that if we are involved in something with a Q2 policeman he would have the right under the Peace Officers Bill of Rights, where we would not. They would look upon us as an easy snitch or an easy way out to gain information about their activities or whatever. We would like to bring out a letter which Chief Gain wrote to John Walsh, January 4th, 1979. At that time one of the interesting things is that the Chief stated that we may continue to make arrest off Port property in arresting a felon and then he goes on to speak; 'That at any time we feel an order is improper we may refuse to comply.' In other words, if I am under the control of a sergeant, lieutenant or captain, I won't do it if I don't think it's proper. Now this is very contradictory."

Chief Gain: "Excuse me, may we clarify that point? There is a present Patrol Division General Order and what we are proposing is we substitute a Department General Order for that. We limited the duties of a Harbor Police Officer, deliberately did so, and what I had told the Harbor Police Officers is, you confine your activities to the scope as contained in that General Order. I do not want you performing general police duties as a Q2 police officer does, that is essential. You (Officer Fine) read it out of context. That's what I said in there. So that's all the duties we want them to perform. We do not want them performing general police duties. Isn't that right? You took it out of context."

Officer Fine: "If, in fact, we are peace officers we are required by the Penal Code, Section 142 to respond on felonies, crimes and the request of citizens or suffer the consequences of up to (1) \$5,000 fine and one year in jail."

Chief Gain: "Mr. President, members of the Commission, may I suggest he is stating things out of context. My letter addresses that issue also, that's why I wrote the letter in part, and I would respectfully suggest that that be done which the Commission stated, frame the issue in writing and then see what we can do about the issues they raise. We are most





pleased to meet with them, we have had more meetings on this issue, Civil Service has had meetings, so it is not unwillingness. They chose to come before this forum and the issue they are raising now is new to everyone."

Commissioner Ciani: "We have established a practice, with respect to our other employee organizations which is embodied in a letter that we wrote a couple of years ago, and we established this procedure of first having an exchange in writing of the issues so that when we do meet we have defined what we are going to talk about, and everyone is prepared, and that's all we are suggesting. It's consistent with the policy we have been following for the last two and one half years."

Commissioner Murphy: "I do think it would be important if you would meet with the Chief, or whoever he designates so that you could put down, for us, exactly what your problems are so that we can understand it and then we could make a decision. We can't make a decision on the basis of your saying this is good, and this is bad, and so on."

Chief Gain: "I would like to state this, just so the record is clear, it is our emphatic opinion that the Harbor Police Officers are not in any jeopardy whatever. I don't want the public, or anyone else of you to believe that they are. That is our position. I do not agree with the officer's statement at all."

Commissioner Siggins: "Well, we will respond to any request for a Meet and Confer."

REQUESTING APPROVAL OF A PROPOSED GENERAL ORDER  
ON THE HARBOR POLICE - HELD OVER

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

REQUEST OF PATROL SPECIAL OFFICER DAN MORRIS,  
MISSION POLICE DISTRICT, FOR PERMISSION TO EXTEND  
HIS LEAVE OF ABSENCE.

Officer Rolovich: "Mr. President, Commissioners, this is in regard to Patrol Special Officer Dan Morris who was given a months Leave of Absence to pursue a police officer's position in Oregon. He was unable to appear tonight and in his place he asked a fellow by the name of Lee Ratcliff to





give the Commission a response as to what is transpiring. He is in the process of negotiating on a beat sale, and (looking to the audience) is Lee here?"

Commissioner Siggins: "Well, here is what we have. Back in April 11th, of 1979, there was an indication that a Patrol Special Officer who was working on a Beat in San Francisco took a job as a Police Officer up in Gold Beach Oregon. And I thought the two positions were quite inconsistent in that we have someone responsible for a beat here in San Francisco who lives in another state and works in another state. So we told him that we would give him 30 days. He said he was negotiating with three different people to buy the beat and they were working with the bank. We set the time limit for 30 days because we expected some action on the matter and that time is now expired, and we want to hear what he has done about selling that beat."

Officer Rolovich: "I had a conversation with him last night and he said that he was unable to make it, that he was going to send a person to represent him by the name of Lee Ratcliff who was notified to be here at 5:30 this evening. Ratcliff had power of attorney for him and he was supposed to bring the Commission up-to-date as to what's been happening."

Commissioner Siggins: "Who's running the beat? Is the beat being serviced?"

Officer Rolovich: "Yes, the Beat is being serviced by an adjoining beat officer. His name is Ray Adkins. That was established earlier."

Commissioner Siggins: "He is out of the city on an unapproved Leave of Absence."

Commissioner Murphy: "Well, he received it from Captain Jeffery."

Commissioner Siggins: "To pass along to us."

Chief Gain: "Well, my understanding is, that the Captain can only recommend, as I can only recommend. This is within the purview of the Commission. The Commission gave him a 30 day leave and he was not back on that date, he is now Absent Without Leave. I, nor Captain Jeffery, have the authority to grant him any leave. My recommendation would be, if I may Mr. President, members of the Commission, is to write that officer a letter and give him a day certain in an alternative way, if you want to do it,



give him notice that as of a certain date that you are terminating his beat, or whatever it may be, or for him to show cause by a certain date why you should not take such action and force this issue. He will be up there forever."

Commissioner Ciani: "This kind of an issue came up before and I think we determined that we have the authority to terminate him and then to consider it abandoned and re-sell the beat."

Chief Gain: "He has, in fact, now, abandoned that beat. He, with authority had 30 days, he did not return and he has abandoned that, he does not have authorization. I would suggest a show cause type thing, give him a date certain. I would suggest giving him three weeks."

Commissioner Sanchez: "I would concur with that, I think it gets the process moving. It's in writing, he has time to respond, or whatever, and this way we can proceed....."

Commissioner Toler: "Are you putting that in the form of a motion?"

Commissioner Sanchez: "If it is needed, I would so move that we do correspond giving him these options as so cited by the Chief."

Commissioner Ciani: "Second."

Commissioner Murphy: "I think there is only one thing to consider in addition to his not responding however, that this is a sizeable investment and sometimes things don't go through as fast as they should. I don't think he is an irresponsible man as far as that's concerned."

Chief Gain: "I think what's happening is that he is negotiating to sell the beat. And I would submit it is not responsible for him to be in that process and not communicate with the Commission and get permission from the Police Commission for an extension of leave. That is irresponsibility, I would suggest."

Commissioner Murphy: "I think he thought a man was going to come and represent him and he hasn't yet."

Commissioner Siggins: "I have been hearing from different members of the Patrol here who want to make sure that this is included in the Charter, and



they were going to talk about the importance of their job, what they are doing for the city, and all of a sudden we have somebody just takes off, and that's inconsistent with what they want to put forth as an association. Okay, so we will prepare a letter telling him that we will consider the Beat abandoned as of July 2, 1979."

Officer Rolovich: "Thank you."

RESOLUTION NO. 376-79

DATE TO BE SET FOR HEARING RELATIVE TO THE TERMINATION OF RECRUIT OFFICER DENNIS DOUGHTERY.

WHEREAS, the date to be set for the hearing relative to the termination of Recruit Officer Dennis Dougherty was called; and

WHEREAS, it was decided by the Police Commission that the date of June 13, 1979, be set for Recruit Officer Dennis Dougherty's hearing; therefore be it

RESOLVED, that the hearing relative to the termination of Recruit Officer Dennis Dougherty is set for Wednesday, June 13, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 377-79

DATE TO BE SET FOR HEARING RELATIVE TO THE TERMINATION OF RECRUIT OFFICER PETER J. WHITCOMB.

WHEREAS, the date to be set for the hearing relative to the termination of Recruit Officer Peter J. Whitcomb was called; and

WHEREAS, it was decided by the Police Commission that the date of June 20, 1979, be set for Recruit Officer Peter J. Whitcomb's hearing; therefore be it

RESOLVED, that the hearing relative to the termination of Recruit Officer Peter J. Whitcomb is





set for Wednesday, June 20, 1979 at 5:30 p.m.,  
in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

CONTINUATION OF THE HEARING OF POLICE OFFICER  
KATHERINE ANDERSON, PARK POLICE STATION

The matter of the hearing of Police Officer Katherine Anderson, Park Police Station, was called, it having been continued from the meeting of May 23, 1979.

Police Officer Katherine Anderson appeared in person and was represented by Ms. Alice Beasley, Attorney at Law.

Mr. Robert Byrne, Attorney at Law, Legal Office, appeared as the Prosecutor for the Police Department.

The following-named witnesses were called by the Prosecution, sworn and testified:

Police Officer Michael Lewis  
Southeast Police Station

Police Officer Edward O'Toole  
Park Police Station

Police Officer Bernice Alsobrook  
Northern Police Station

Police Officer Ernest Ferando  
Mission Police Station

Police Officer Bruce Edward Gendron  
Richmond Police Station

Police Officer Bruce Marovich  
Central Police Station

After listening to testimony from the above parties, the Commission then adjourned at 2110 hours, and the matter was continued to Wednesday, June 20, 1979 at 1730 hours, in Room 551, Hall of Justice.

Recess taken during the hearing of  
Police Officer Katherine Anderson:

1918 hours to 2003 hours.



(The entire proceedings were taken in shorthand form by Hearing Reporter Linda Pransky, C.S.R.)

AYES: Commissioners Ciani, Sanchez, Toler, Siggins

ABSENT: Commissioner Murphy

Chief Gain: "Mr. President, members of the Commission, I apologize for giving this to you so late, and it was not because of any deliberate delay of procrastination, but rather we just resolved today that we could process it and have assurance of getting the Federal money that we are requesting, and there is an urgent need to get this from the Commission to the Mayor's Office because she is going out of the country and we would like to have the Mayor's Office entertain it tomorrow if we can accomplish that. As stated on the Grant Application, we are asking for an additional amount of money in connection to improving police service to language minorities, which money will be used to support two positions. These persons are responsible for establishing recruitment testing, professional upgrading leadership, and promotional programs for police officers. Our Language Grant is about a \$500,000 Grant and we are asking for approximately, in Federal money \$53,500.00 additional, and it is anticipated they will give it to us and it will add to this Grant. Then the money will be augmented by \$28,465.00, our local match, and we have that budgeted in this current fiscal year. It will substantially expedite getting our recruiting, testing and establishment of the eligibility list."

Commissioner Ciani: "Is monitor that you mention here, the monitor who is involved with the Consent Decree?"

Chief Gain: "Oh yes, it is."

Commissioner Ciani: "I see."

Chief Gain: "Well, in a nutshell, what we are doing is we are getting money, federal money, for one year for salary, for that position, secretarial position, a typewriter and so on."

Commissioner Ciani: "But doesn't the Decree provide for funds?"



Chief Gain: "Not in explicit terms, no. It's a city obligation to provide the money and we are providing the money through this device."

Commissioner Ciani: "Is this a round about way to provide funds to do that?"

Chief Gain: "Well, I think it is a pretty direct way."

Commissioner Ciani: "Well, you are talking about improving services to language minorities and that is a much more narrow goal than that which is served by the Monitor."

Chief Gain: "But that Grant was made a part of the Consent Decree. It's an integral part by attachment to that Decree and referenced in the Consent Decree."

Commissioner Ciani: "Alright, but the funds would not necessarily be limited to that function of the Monitor just because they are funds that are under that Grant."

Chief Gain: "Well, the \$53,000 dollars will. The \$500,000 dollars, of course, is for a specific language minority purpose. So we are just asking for additional funds under that Grant. \$53,000 is not going to displace any of the \$500,000. We are still going to use that for the purpose intended by that Grant but they will give us Federal money."

Commissioner Siggins: "What we did by the Consent Decree is agree to hire a Monitor, but there are no funds for it, isn't that right?"

Chief Gain: "That's right."

Commissioner Siggins: "And now we are looking for funds and we are using the Grant Money."

Chief Gain: "Federal Money and it saves Ad Valorem money, of course."

Commissioner Ciani: "Well then, the only question I really have is, are these funds limited to a specific purpose, and you are telling me that they are not limited to one narrow purpose of the Monitor but are general....."





Chief Gain: "Well, the purpose of these funds is very narrow. It's for the salary of the Auditor Monitor, the secretary, here I will read each thing it's for. A typewriter, rent for office space, very reasonable office space."

Commissioner Ciani: "I wasn't addressing that, I was addressing the nature of the Monitors' activities."

Chief Gain: "The Monitor will be monitoring in terms of the whole Consent Decree, that's his responsibility."

Commissioner Ciani: "And whatever authority you are using to request these funds doesn't limit their expenditure to that particular function, is that correct?"

Chief Gain: "No."

Commissioner Siggins: "Okay, Commissioner Murphy has made a motion to pass this resolution."

Commissioner Toler: "I second it."

It was then unanimously approved.

RESOLUTION NO. 364-79

REQUESTING APPROVAL OF A GRANT APPLICATION FOR SUPPLEMENTAL FUNDING FOR "IMPROVING POLICE SERVICES TO LANGUAGE MINORITIES PROGRAM."

Approving and authorizing the Department of Police under applicable provisions of the City Charter, to apply for, accept and administer a supplemental grant of funds from the Law Enforcement Assistance Administration for a project entitled "Improving Police Services to Language Minorities;" therefore be it

RESOLVED, that the Police Commission of the City and County of San Francisco does hereby approve and authorize the Department of Police, under applicable provisions of the City Charter, to apply for, accept and administer a grant of funds from the Law Enforcement Assistance Administration, as follows:

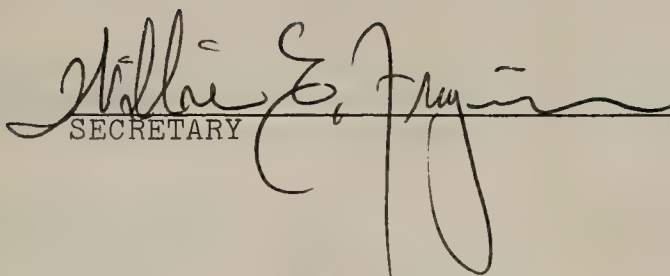
\$81,965 to support two positions to monitor and coordinate recruitment, testing, professional upgrading, leadership and promotional programs for San Francisco Police



Officers.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

The Commission then adjourned its meeting  
at 2110 hours.

  
SECRETARY



11 JUNE 1979

SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Monday, June 11, 1979 at 1730 hours in Special session.

PRESENT: Commissioners Ciani, Murphy, Sanchez, Siggins

ABSENT: Commissioner Toler

Commissioner Siggins presiding.

ORGANIZATION OF CONTEMPLATED INVESTIGATION

Commissioner Siggins: "I will start this meeting by reading a letter that was sent to the Commission by Her Honor the Mayor and it reads as follows:

'OFFICE OF THE MAYOR  
SAN FRANCISCO

DIANNE FEINSTEIN

June 8, 1979

Honorable Richard Siggins  
President  
San Francisco Police Commission  
Hall of Justice  
San Francisco, California 94103

Dear Dick:

On Tuesday, May 29, I announced the creation of a Blue Ribbon Investigative Committee to look into all aspects of the riot at City Hall on May 21. However, on June 7, retired Superior Court Judge Francis McCarty, who agreed to chair this committee, pointed out a recent California Supreme Court ruling which, in effect, is that the committee and any witnesses who appear before it would be subject to lawsuits charging defamation.

The committee discussed this ruling in terms of carrying out their mandate and concluded that its ramifications made their job impossible. For this reason, the committee requested that it be dissolved. I agreed and terminated the committee immediately, effective June 7, 1979.





I am now reassigning the investigation to both the Police and Fire Commissions. As statutory bodies and official city agencies, members of these commissions are protected from the possible litigation posed by the new court ruling, and any witnesses who appear before them also will be protected. I am determined to conduct the fullest possible investigation of the violence of May 21, and the charges arising from it, and I am confident that we can have a complete and unbiased report from these two civilian commissions.

I request that you and the members of the Police Commission determine a number of issues including, but not limited to, the following:

1. The appropriateness and timeliness of police response to the activities of rioters.
2. Whether there were major communications and information gathering problems.
3. That appropriate investigation is being carried out to identify the perpetrators of the violence and destruction.
4. The exact chronology of the disturbance.
5. Whether there were instances of police brutality.
6. The extent of Police Department preparedness and training for riot control and mobilization.
7. The value and effectiveness of San Francisco's mutual aid agreement with neighboring law enforcement agencies.
8. Identify and implement needed improvements in the department's capability to deal with similar situations in the future.

Please submit your report to me within 60 days.

Thank you for your cooperation.

Warm personal regards,

Sincerely,

s/  
DIANNE FEINSTEIN  
Mayor  
DF:caf'

I think that the letter itself takes care of the first item which is the scope of the investigation, does the Commissioners have any comment on that?"



Commissioner Ciani: "Well, there are two issues that I have questions about, first, the item #3, that appropriate investigation is being carried out to identify the perpetrators. I want to be clear that we aren't going to conduct that investigation. There is a Grand Jury, I understand?"

Commissioner Siggins: "Well, the point is, I think if you read it, it means that we want to be able to make comments and to determine if the correct investigation is being carried out."

Commissioner Ciani: "I am just trying to be sure that I understand the scope of what we are to do. The other one that I think might be read to be broad, is item #5, whether there were instances of police brutality. Bear in mind that if there were such, we would be sitting as a Commission hearing those matters as disciplinary matters, I question how much we can investigate those in the first instance, because it would compromise our ability to 'sit' in those disciplinary matters were we to get directly involved in investigating those matters."

Commissioner Siggins: "I submit that every instance of complaint of police brutality is being investigated now by the police department under our supervision, that there have been complaints after May 21, and that they are being investigated, and it's our job to look over them, and I think those things will be coming up. If witnesses who are percipient to such activity are going to be testifying in our committee, I think we are going to be hearing those things."

Commissioner Ciani: "Well, perhaps, but I question the relationship of the testimony that comes to us which might identify specific people doing specific acts. And the charges that might come before us subsequently."

Commissioner Murphy: "I think that's something we will have to answer, or deal with, but I don't think that at this point we have even gotten that far. One of the questions I would like to ask is also on number three. Will this include the circumstances of the riot at City Hall, and also the melee on Castro Street later when there were a number of incidents reported? I assume this is taking in the full scope of everything that happened that night."

Commissioner Siggins: "I think that that is part





of it, to consider the disturbances of May 21. But getting back to Commissioner Ciani, I think that we will have to deal with that and consider it, but this is just an operational meeting, and we will have to think that through. We have a report that is due to us from the Department within the next few days and I anticipate that some of that will be covered."

Commissioner Sanchez: "Or, through the Chair, if I might Mr. President. It seems to me what is given here are key areas that might be looked at and reviewed by the Commission. I do agree with Commissioner Ciani at this point. There are a couple of areas that we may have to factor out which might provide us with some collision course if we are going to maintain a sense of objectivity as a Commission in reference to further hearings by the Department. It seems to me that one of our prime functions, given the agenda, and the letter has so stated, would be to number one, identify our baseline information. Namely, what prior intelligence and the nature of intelligence we had prior to that event, and also a status report on the equipment, type of equipment, ranging from a variety of sub-categories, either riot and/or Specific Task Force, etcetera, etcetera. And then more importantly than manpower questions, given that day, basically, how many men and women did we have on duty at that point and time, and how many did we have on standby, and I think, also, the review of the mutual assistance, which, basically, the Mayor cites, might also be looked at as part of our baseline data information before we even begin to generate a number of questions pertaining to either (a) response times, command decisions, or sort of review of it, indeed, there were certain types of allegations and, of course, basically a number of injuries both to men and women within the Department and civilians, and at that point I think we might be able to proceed. But I am still a little confused by the nature of the A-Task as so defined. I do feel that there is a great deal of substance here and I think part of our mission today is to decide the process by which we will begin to undertake a fairly comprehensive investigation. I would assume that we, as a Commission, would continue to have public meetings and/or testimony, or findings, or basically, whatever else which has always been our sort of posture, and I would assume that this would continue during the findings and, basically, during the course of the study itself."

Commissioner Murphy: "Mr. President, I am concerned, I agree with practically everything he said about a group of 5 busy people being able to do that sort of thing. And I think the first





thing that we have got to think about is some Staff. Staff other than police department staff. I think as someone had suggested to the Blue Ribbon Commission is that they might get some help from the State's Attorney's Office, for example. I think we might explore that.

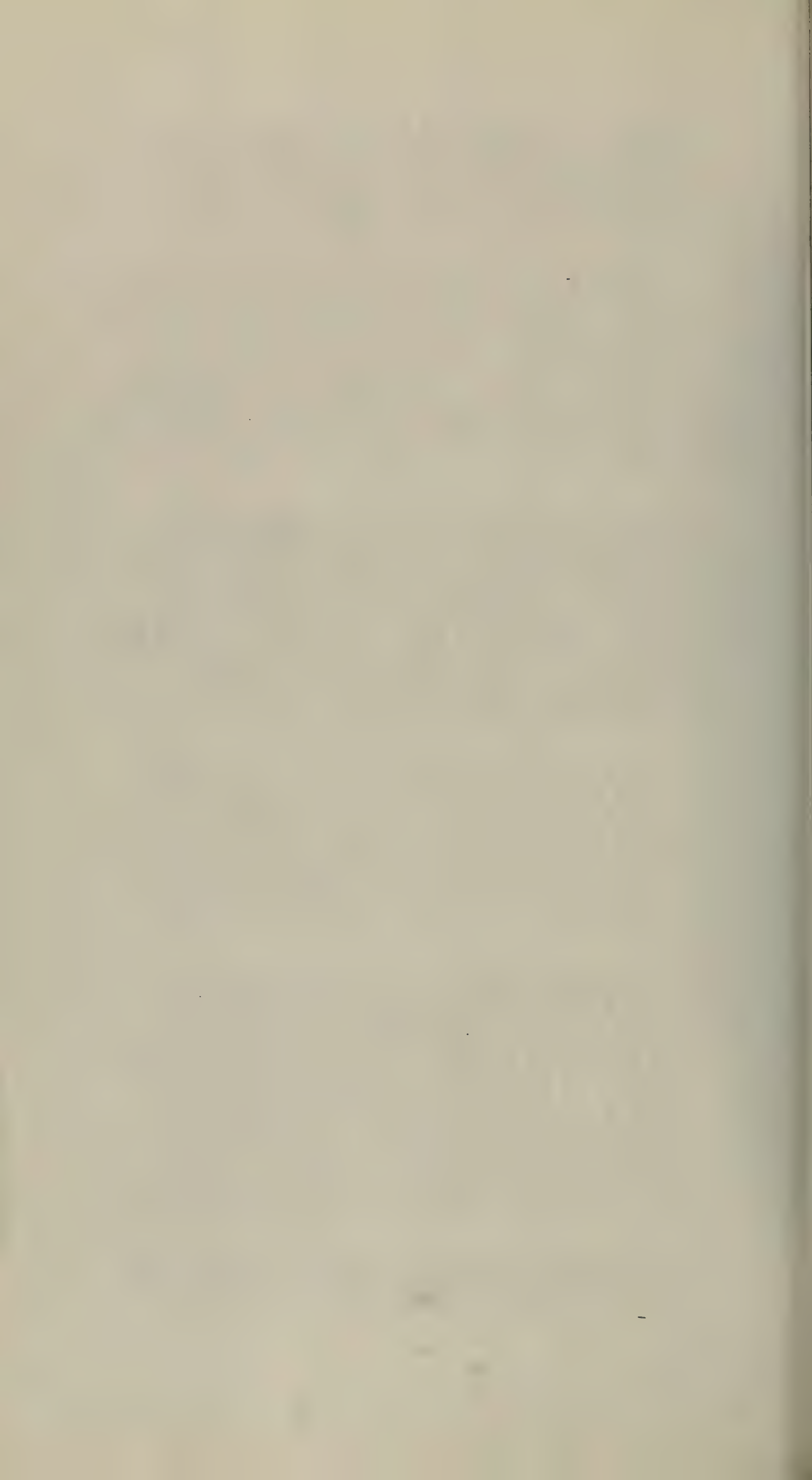
I think we certainly have to identify some source of money and establish an amount that we will need to finance it. I don't know how much that is. The San Francisco Foundation at one time promised \$10,000 to the Blue Ribbon Commission. I think that could certainly be explored. I don't think that we are either capable, or can give the time that this will need to do all of this without a capable staff, and I think we have to address ourselves to that immediately in order to go into some of these things that Commissioner Sanchez has mentioned."

Commissioner Siggins: "Well, I agree with you. To get the meeting started we roughed out a six item agenda here, one of which was the scope of the investigation, and I think the Mayor directed the scope. The second thing was the initial investigation, informational needs, that we need which would include some investigation. Third was staffing needs. Fourth was funding needs. Fifth was Staff and public meeting locations, and the sixth was the determination of a schedule and a time frame. And if you want to add to any parts of that agenda I would be glad to do it.

We have Lieutenant Michael Lennon here from Research and he can help us here, and some Legal Staff. I don't think we are going to use you in connection with this investigation, I don't think you have the time to help us there. And we are going to be working through Lieutenant Frazier here as our Secretary of our Commission, and he is the one who is going to have to coordinate and take our directions until we do get some added staff."

Commissioner Ciani: "Well, I would like to be sure I understand that we are drawing a line between using certain departmental personnel, and not using them, because not only of the pressures of day to day business on those personnel but also because it might appear to lend less objectivity than if we were to hire independent staff. Is that a given....the priority is to try to obtain funding so that we can hire outside staff, primarily so that we will have full time attention by that staff and greater appearance of objectivity in collection of evidence. So it will obviously turn on whether the money will be available to us."

Commissioner Murphy: "I think that not only money but we could explore the possibility of borrowing Staff from other city agencies. For example, I



think we could possibly borrow staff from the Public Defender's Office or it could be from the Attorney General's Office. But I think we shouldn't just stop and say 'no we can't do it because of this or that,' I think we ought to decide what kind of Staff we want, and I am sure a great deal of it will be legal, and some will be investigative. Then we should make inquiries and then depending on what we find, determine the amount of money we need, then we go after it."

Commissioner Siggins: "Okay, suppose we just take the item of staffing right now. Skip number two here and go to number three. Talk about staffing needs. The Blue Ribbon Commission had anticipated the use of two attorneys from the City Attorney's Office to act before their Commission in a completely neutral way of presenting evidence, live testimony with the use of court reporters. I have discussed this now with the City Attorney and he declines to give to us the use of these particular Deputy City Attorney's and I think that he was just coming to the conclusion that he was going to decline giving them to the Blue Ribbon Commission and he has his own particular problems in that regard. He does anticipate, frankly, lawsuits that his office will later be defending."

Commissioner Murphy: "Will the Public Defender's Office be in the same boat? I would think not, perhaps."

Commissioner Ciani: "May I suggest that we shouldn't have to go out with our hat in our hands looking for money, maybe the Board of Supervisors ought to consider financing this rather than us trying to beg, borrow, and steal help on a volunteer basis. This is obviously a matter that is of interest to the entire city and perhaps we ought to look first to the city to give us supplemental funds to do this work."

Commissioner Siggins: "What do we want? To get lawyers to handle the organization of it? I would suggest that that is what we do."

Commissioner Ciani: "Well, I think we need probably one person who ought to be a Director. Someone who is primarily responsible, and then one or two other persons to help, and then whatever clerical and court reporter assistance as needed from time to time."

Commissioner Siggins: "Well the Court Reporter problem will come up later, but I think we ought to get....find a Director of this investigation





from the standpoint of an attorney. There might well be without begging, or borrowing, some attorneys in the private sector that can be loaned to us, and I am not saying go and ask the Bar Association, because I think there is potential conflict there. But there are lawyers in the Bar Association who belong to a lot of associations with Bar Groups that don't even know about proposals before this Police Commission and I think 90% of them don't know anything about it. So, just because the Bar Association has made certain proposals to this Commission doesn't mean that lawyers within the Bar Association cannot help on a neutral basis here."

Commissioner Ciani: "Well, I would be concerned about that. Anyone who would volunteer to commit a substantial amount of time without any compensation, I think we would have to look very closely at whether they have a bias. The only way to get really an objective staff is to pay them to be objective, and to screen them, and hire them with that in mind."

Commissioner Siggins: "I wouldn't say that would be the only way."

Commissioner Murphy: "I talked to the Mayor before she left for China about this very thing, about getting enough money for staff. In other words, we had to have staff and she agreed with that, and I think there are some sources within the executive branch of the city, for example, in the Police Commission budget. I think we can talk to Rudy Nothenberg and find out if there are some sources that we can get to, but I am sure we can get some money. I think we can even get some from the San Francisco Foundation, possibly, and there may be other foundations too."

Commissioner Siggins: "That is why I asked Lieutenant Lennon to be here tonight. He is the most knowledgeable person in the Department as to our budget. Can you answer some of those questions?"

Lieutenant Lennon: "Yes, the Chief had asked me to get some information for you. If the Police Department's contribution to this would be Staff support in the amount of supplies and materials and small contractual services, then the current budget would support it. If it's the intention of the Commission to hire attorneys at any significant price, I think we are going to need some outside funds. I have also been advised that if the Department is going to hire outside attorneys, we also get the approval of Civil Service before we do this rather than contracting on our own."





Commissioner Siggins: "Well, I can understand that."

Lieutenant Lennon: "But so far as Stenographic Services, duplicating instrument services, and some of these, the Department's budget would support that."

Commissioner Siggins: "Okay."

Commissioner Murphy: "Well, that's a sizable chunk."

Commissioner Sanchez: "Yes. Or through the Chair. I would like to just throw out some initial responses to that. I, personally, am not sure at this point of what the nature of staffing would be. Primarily because we have not yet reviewed the in-house police department report which will be made public when we get it. Basically, most of what we have heard has been from secondary sources. Either through the press or through whatever, and I am not that sold on the degree of objectivity being equated with hiring an attorney as the sole staffer. I have thought about this over the weekend and have made just initial inquiries to some men and women who are known experts in Law Enforcement and Institutions of higher learning and most of them have a time factor for public service at no cost. I am not saying these people would be hired as staff, but I think we might at least be able to use some resources once we define the nature of our investigations, which I feel we really can't do until we have a fairly comprehensive review ourselves, as a Commission of the report which, hopefully, will be forthcoming by June 15th. At that point I think we could begin to discuss what type of staff, and numbers, and whether we are going to have to increase by what supplement in order to insure the degree of objectivity, and also to take a look at the realistic time frame in which we expect a comprehensive and objective report to be forthcoming. Basically, the 60 day period might be too long, it might be too short, at this point, as I said, I just can't know because we have not yet seen the in-house report which will be forthcoming by the 15th, and I think that at that time we are going to have to make some significant decisions pertaining to manpower and, basically, what type of staff, and whatever, we are going to be using, if we are going to have some sort of advisors to us at no cost, and ranging from a wide degree of disciplines, Criminologists, those who have been involved in riots before, the Watts, the Detroit, the San Francisco State, ones who have studied it from an academic nature and are willing to share their bias objectivity with us, if necessary,



or if we are going to plough on and do whatever, I don't know. I just hope that we don't, perhaps, divebomb into it at this point and say we are going to hire two people and, therefore, ask for funds, because we just don't know what the actual extent of, basically, our investigation will be, and that's where I am coming from Mr. President."

Commissioner Siggins: "Alright, going back to the time frame, you are saying 60 days, I told the Mayor that we would have our report in 60 days, and I did it because she told me that she wanted it within that time. Actually, I was speaking for all of us. I agree with you that we do want to go over the Police Department's Report, but I do think that we are looking for a lawyer, or aren't we looking for some lawyer, or somebody to organize the beginning, to do the Staff work, I mean at least for a start. I don't see how we can do anything without that."

Commissioner Ciani: "I fully agree with that. I think regardless of what's in the Police Department's report our charge is quite a bit broader than that, and we are going to have to be taking testimony from a lot of other sources, and that is going to take a lot of organization. Secondly, I think the question of Staff has to be considered right away because it isn't easy to do that later on, to decide to do it two weeks hence and to get it done the next day. It takes advanced planning to figure out how we are going to fund it and fill the slots, whether, and to the extent that we use it, I think that we have to be sure that it's available because it is anticipated in my mind that we will need it."

Commissioner Murphy: "I agree, I think the June 15th report is interesting but maybe quite incidental to our inquiry, and I think we have to proceed in an orderly fashion to try to get some staff that will be as objective as it is possible to be and help them to decide with us how to proceed. And I don't think it's a unilateral sort of thing at all. I think we have to talk it over and see what investigative procedures they would use as contrasted to some other procedures, and so on."

Commissioner Ciani: "I am opened-minded about whether it need be an attorney. I think I hear Commissioner Sanchez suggesting that it be a professional, an educator, or a criminologist. I wouldn't have any objection to using someone other than an attorney unless Commissioner Siggins you have got some....."

Commissioner Siggins: "No, I don't....."

Commissioner Ciani: "I don't either."





Commissioner Siggins: "But the function is generally handled by someone that comes from the legal profession for reasons that are not because the person has studied law but because... I tell you the truth, I don't know why. I mean there are questions of law that would not be decided by this....."

Commissioner Ciani: "I think it would be a matter of familiarity with this kind of proceeding and with the organization of witnesses, and evidence, and testimony, something that a lawyer is more likely to have had experience with than any other kind of professional person. And since we are talking about an organizational function more than a substantive function, that may be the logical place to look."

Commissioner Sanchez: "I have no qualms with the fact that, basically, the Commission right now could use additional staff given the nature of hearings and everything else. We are sort of backlogged. Again, I wasn't putting one against the other. I, in essence, feel that given the nature of the situation as it occurred, I think we have a number of available resources within Northern California and, you know, who would be willing to spend ex-number of hours with our staff, or however you wish to define it, in order to factor out and provide as high a degree of objectivity as we can in order to insure that. That's basically what I was saying."

Commissioner Ciani: "Sixty days isn't a long time to try to identify those sources and to arrange to get the people. I am concerned about how we can do this most quickly and efficiently. I think tonight what we have to do is basically, tentatively, decide what we need and then decide how we are going to go about how to identify appropriate people who would fill those needs, and at the same time identify appropriate people who would fill those needs, and at the same time identify possible sources to fund one or two full time people for a 60 day period and I think we agreed it would be a full time job for that period of time."

Commissioner Sanchez: "But I think what Commissioner Murphy is saying, is that, you know, basically the staff person could very well have a multitude of skills and might very well sit as a Hearing Officer with all of the testimony being transcribed and reviewed by us. Otherwise we might be going into extensive hours we don't have if, indeed, the forum will be for public testimony pertaining to anyone who had direct contact, either as a participant or observer, or whatever of this situation."





Commissioner Murphy: "Could I ask a question? Those persons who were arrested, they will have their day in court, won't they? So would we inquire the rightness or the wrongness of their arrest, or would that be a court matter completely?"

Commissioner Ciani: "Well, that was the question I was trying to raise at the beginning about the scope of our investigation. I think we have to defer to the other legitimate processes that are going on and not overlap jurisdiction, or duplicate those processes."

Commissioner Murphy: "In other words, what you are saying is that it probably would be appropriate for us not to hear from those persons who have been arrested, who will have to have their cases heard in court anyway."

Commissioner Ciani: "I doubt their attorneys would want them to come before this Commission anyway. But President Siggins is much more familiar with the trial area than I am, I am not sure how to draw the line here."

Commissioner Siggins: "Yes, that's up to them if there is a full hearing and they want to come here. I guess they can if they are witnesses to the incidents that occurred during that night."

Commissioner Ciani: "Well, we've come to the subject of receiving testimony. I don't know whether we want to go into that. We should probably finish what we can of the staffing question before we go on."

Commissioner Siggins: "Commissioner Sanchez, who do you have in mind, or do you have anybody in mind, or any group in mind?"

Commissioner Sanchez: "I have no one person in mind. I know that there are a number of people who are on various faculties who both have a law degree, and either MD degree or PH.d's and teach either at Berkeley, or Cal State Hayward, or San Jose State, or City College, etcetera, etcetera, who might be able to contribute ex-hours of public service at no cost to us just given the nature. I have discussed with a couple, just informally, trying to find out how we would approach this if, indeed, it came to this. And some of them were very responsive to providing themselves as an advisory body. But as far as the initial staffing question, I have not spent, you know, that degree of time of thinking about that. I have been thinking more about the operational posture we hope to take in order to insure a degree of objectivity."



Commissioner Ciani: "Well, are we going over ground that the Special Committee had gotten to and gone over?"

Commissioner Siggins: "No, I think they were going to end up at this area because I think the City Attorney was going to hold back the assistance, the legal assistance he was going to provide."

Commissioner Ciani: "But before then that's what they were planning to rely upon primarily as Staff."

Commissioner Siggins: "Yes, they had two deputies assigned. They were looking for some type of full time clerk and they were also considering funds for some investigation."

Commissioner Sanchez: "Mr. President, it seems to me in my reading of the press, whatever, that the San Francisco Foundation was going to allocate \$10,000 for supportive Staff, not basic court Staff, but for transcriptions and etcetera, etcetera."

Commissioner Murphy: "No, this was for the 'The Staff,' whatever it was, but it probably didn't include attorneys because they thought they were going to get them from the City Attorney's Office, of course, and that's what I think we could possibly borrow."

Commissioner Sanchez: "Yes, if indeed these funds would be perhaps available to this Commission in order to proceed in an orderly fashion."

Commissioner Murphy: "Yes, I don't know where they got the figure of \$10,000 dollars. I just spoke to one of the members of the Blue Ribbon Commission, and she said that they spent the whole first meeting in discussing how they were going about the investigation. For one thing, they decided that they would have an attorney, at least one, maybe more. They would have to have some investigative personnel and some clerical help. We have clerical help so we can forget that, let's say, but as investigative personnel, I don't know."

Commissioner Ciani: "I don't know that we should identify specific people at this point."

Commissioner Murphy: "Okay, when are we going to identify them?"





Commissioner Ciani: "Well."

Commissioner Siggins: "Go ahead Commissioner Murphy."

Commissioner Murphy: "Two or three different people have been suggested. Of course I haven't talked to them, I don't know who would be the best person to talk to them, but I think sometimes people are willing to give public service, certainly you are all giving very great public service for free. And I think we ought to take that course if we can't get help from the Attorney General. I really think the Attorney General's Office is an awfully good source to go to. They have an office here in San Francisco. They have investigators and I used them very frequently when I was head of adoptions in Northern California. They investigated all sorts of situations, they were very good."

Commissioner Ciani: "Well, I don't know how you are going to get a public agency to magnanimously agree to loan, lend, staff when everybody is crying that they are short of staff already. I just doubt that we are going to get very far with that. We couldn't even get the City Attorney right in our own backyard."

Commissioner Murphy: "I don't think that was because of the shortage of staff, that was because he felt it was a conflict of interest, wasn't that it?"

Commissioner Siggins: "Yes, that was the problem."

Commissioner Ciani: "Stated reason."

Commissioner Murphy: "Yes, but I think it's quite different for the Attorney General, maybe it's a useless act but I don't think we ought to turn down any ideas if we can get a good person, or good people to do it."

Commissioner Siggins: "Well, let's continue to approach a group like Mr. Morris, or somebody with that background. Let's approach Mr. Morris and see if he could not have a suggestion. Let's approach the schools and see if they don't have a suggestion, is that okay Commissioner Sanchez?"

Commissioner Ciani: "Perhaps each of us could agree to try to pursue whatever avenues we can in the nature





of finding funding, or identifying people, and you can put that information forth at the next meeting."

Commissioner Siggins: "Right, and it can be brought up if we know anything, we can report back on Wednesday night if there is anything."

Commissioner Murphy: "Do we just think of names or do we talk to them and ask them if they would be interested, or can they, or do they have other suggestions?"

Commissioner Siggins: "Why don't you approach the line that you were playing on and the man that you were thinking of, because I know what you are talking about at the State Bar level. You are talking about the State Bar level when you are talking about Mr. Morris, who has experience from the American Bar Association in Chicago, and who recently left the job as Executive Director of the American Bar Association. It's an executive job that he has and maybe he can....."

Commissioner Murphy: "He has done studies in the past."

Commissioner Siggins: "Why don't you ask him? Why don't you see if you can contact him?"

Commissioner Murphy: "I will ask him. You will probably be better to ask him than I. But that's alright, I will be glad to. Ignorance is bliss."

Commissioner Siggins: "I will be looking at lawyers in the private sector to see if there is someone or any group that we can find."

Commissioner Ciani: "Well, at this point we can't commit to paying anyone. I suppose we have to find out the availability of people with and without funding."

Commissioner Murphy: "Hopefully without."

Commissioner Siggins: "Well, let's see if we can find out something more by Wednesday night if we can, okay?"

Commissioner Murphy: "What about the investigators? Is there any group of investigators, I don't know, are there organizations that have....don't a lot of lawyers have investigators? I am sure someone like..."



Commissioner Ciani: "We don't use them. I don't think."

Commissioner Siggins: "Well, I have a problem of using investigators in this area. Any private investigators who are operating in San Francisco have obvious contacts with the Department and they need those contacts to perform the functions that they do, so I would hold back on that."

Commissioner Ciani: "I am not sure I know what the investigative personnel would do. To echo Commissioner Sanchez, that's something that maybe we should consider as we go along. I don't really know what they would..."

Commissioner Siggins: "It was put in here and I put it in there because it was mentioned to me by the Chairman of the Blue Ribbon Commission."

Commissioner Murphy: "Did they have any ideas on where they were going to get investigators?"

Commissioner Siggins: "They were doing the same thing we were doing now, I think. One thing they had done as far as meetings are concerned is that they had arranged and reserved rooms at the San Francisco Public Library, and I have been told by the Librarian that we can use that space."

Commissioner Murphy: "The Lurie Room or the Board Room?"

Commissioner Siggins: "I am not sure which one of those."

Commissioner Murphy: "Well the Board Room is bigger."

Commissioner Ciani: "Is that for office space?"

Commissioner Siggins: "No for meetings if we wanted to hold them away from the Hall of Justice. That could be something that can be worked out and we still have to figure out later on our commitment to time in this regard as far as arranging for meetings and then we can go ahead and start scheduling. But we still need staff before we can do that. They can make the arrangements with the Library."

Commissioner Sanchez: "Yes, I would just like to speak to that. I feel that because it is under





our jurisdiction as a Commission, the proper place for a discussion and lack of discussion or whatever should be, you know, here and I don't care if it is here on this floor or upstairs, if there is a large gathering or whatever, but I really think that rather than going out at this point we should continue on our normal course and at the same time, you know, basically utilize our resources here both in reference to staffing time and phones and communications and whatever. Otherwise, we are going to run into some navigation problems."

Commissioner Ciani: "I agree with you. I don't see any reason to move outside of the Hall."

Commissioner Murphy: "They didn't have a place to meet. We do."

Commissioner Siggins: "I don't think we have to vote on that right now anyway, we don't have to turn them down, we will just see how it goes."

Commissioner Sanchez: "It's a good option if we need more space."

Commissioner Ciani: "Well, another thing that we haven't talked about, which I understand the Blue Ribbon Committee got into, was attempting to get witnesses to come forward. And I understand they were going to advertise in the paper, and maybe we ought to consider whether we want to do that, and whether it is timely to do that early and have some kind of phone number set up to receive inquiries and receive names of persons who are tentatively interested in coming to testify."

Commissioner Siggins: "Well, I think once we get started we can advertise. Do you want to do it now?"

Commissioner Ciani: "Well, I don't see any reason to do that as early as possible, it's not going to slow anything else down. I mean I don't see any reason to slow that process down. The more time that's available to people to get the word out that we are looking for....."

Commissioner Murphy: "What about setting the date of when the testimony would take place?"

Commissioner Ciani: "Well first of all, I think whoever is going to do the Staff work should have at the earliest possible time just a basic idea





of how many people, and what kind of people want to testify, and then we can organize it in a way that will run smoothly. So rather than set a specific time for a hearing for people to come, I had in mind advertising so that people who are interested would identify themselves and let us know how to get in touch with them."

Commissioner Siggins: "Why don't you work up some kind of sample advertising copy that we might....."

Commissioner Ciani: "Would it be agreeable to re-state the charge of this investigation or this Commission in connection with the investigation and to either summarize or re-iterate these eight points?"

Commissioner Siggins: "I would summarize it, I think."

Commissioner Murphy: "I think it would be very costly to run an ad with all of those things in it."

Commissioner Ciani: "Well, okay, with my expert draftsmanship, I will try to summarize these and prepare a form of notice for the Wednesday meeting."

Commissioner Murphy: "For the Wednesday meeting?"

Commissioner Siggins: "Well, we can talk about it."

Commissioner Ciani: "To talk about it at the Wednesday Meeting."

Commissioner Murphy: "Oh, I see, I thought you meant advertise for Wednesday. I would like to add one more on this initial informational needs under this outline, it says, 'diagram of City Hall and interior, Polk Street and the view of the Media films and so on to consider obtaining,' I think a map of the Castro area, which would include the Elephant Walk, would be important too. Where the movement was and so on."

Commissioner Siggins: "Yes."

Commissioner Ciani: "Well this is stuff...the Department can collect this."



Commissioner Siggins: "Yes, this is what I had in mind."

Commissioner Murphy: "I know, I just want to be sure they have it."

Commissioner Siggins: "And it's very obvious that when we start hearings that we are going to need maps of City Hall and the Castro Street areas. I don't know about the Elephant Walk, but I....."

Commissioner Murphy: "That is the Castro Street area."

Commissioner Siggins: "Okay, and then a diagram of the City Hall interior, and the Polk Street doors, and we want to have those news media films that have been made available, ready for reviewing, and we want you (Lieutenant Frazier) to obtain all of the available photographs. Also contact the Civil Grand Jury in regards to their investigation and see if they want to help us in any way within their discretion. I would like them to know that we would be appreciative of any of the material that they have. I don't know really how to go about it, but will you take that assignment Lieutenant?"

Lieutenant Frazier: "Yes sir, I will get in touch with them the first thing in the morning."

Commissioner Ciani: "I know it is premature to talk about time for hearings but we, every time we try to find a time when our entire Commission can get together we end up going through week after week of our calendars, and maybe we ought to just think about that again for Wednesday. We may have to set aside a full work day, or one or more weekend days, in addition to evenings. And the question also comes up whether we should suspend the regular business to any extent. Delay scheduled hearings to open up as much time on our regular calendar as we can. I don't know whether it's possible. We have a full schedule of disciplinary hearings for the next couple of months and that takes up all of our Wednesdays and probably some additional days. I just raise the question whether it would be feasible to move all of that ahead or postpone it. Do you have any comment on that?"

Commissioner Siggins: "I think we ought to think about that right now."

Commissioner Murphy: "I think our first task is



to try and get some staff. The minute we get Staff, whatever staff we are going to get, then we can start working on these and to that point after that we...."

Commissioner Ciani: "I am just anticipating the problem that I know is going to exist so that we will all think about it."

Commissioner Murphy: "Maybe the thing we ought to do is if we get some positive answers, for example, we will call you and say alright these will be available if we want them, okay?"

Commissioner Siggins: "Okay."

Commissioner Murphy: "Because I don't think we ought to continue to search indefinitely. I think if we get a couple of good people that...."

Commissioner Ciani: "Well between now and Wednesday, there is not a lot of time."

Commissioner Murphy: "No there isn't. I didn't think we were going to necessarily have a staff by Wednesday."

Commissioner Ciani: "No, but we will have a chance to communicate with each other on Wednesday about what we have done."

Commissioner Murphy: "Yes, that's right. But I think we will have to go on from there, certainly."

Commissioner Siggins: "Okay, are there any other additional things that we should be discussing before Wednesday?"

Commissioner Sanchez: "Oh could I just ask a procedural question again? There was some discussion about advertising or through use of some public forum pertaining to those who wish to make comments, or statements, and I think Commissioner Ciani is going to write up a draft, or a couple, so we could review that at the Wednesday meeting....."

Commissioner Ciani: "We'll have to teach you how to pronounce my name."





Commissioner Sanchez: "Well, I am sorry. I just wanted to add that are we also going to interview, I would assume, from within the rank and file of the Department, especially, let's say those injured, and also civilian injured, or are we just going to use the open-ended advertisement and then.....?"

Commissioner Siggins: "Oh no, I think that we are going to consider subpoena from the Commission, we are going to consider summoning anybody within the Department that we want."

Commissioner Sanchez: "Okay."

Commissioner Siggins: "I don't think there will be any problem there."

Commissioner Murphy: "I do think though that our ad should say or put some limits, I think as a person who was there and perceived, or saw something happen, or was a witness, not just somebody that saw it on TV and think it's just terrible, or good, or bad, or whatever, because my God we could have practically all of San Francisco here if we did that."

Commissioner Ciani: "That's what I had in mind in drafting."

Commissioner Murphy: "I mean it really has to be someone who has actually seen something happen and been a witness to it, and able to express themselves so that we know what they have seen."

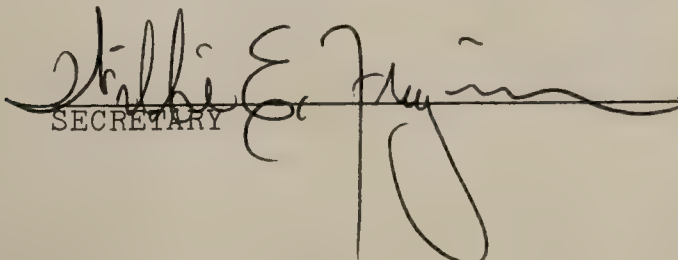
Commissioner Siggins: "Well, I don't think we have patently covered an awful lot tonight but I do think at this organizational meeting we did get some things started. I think we can consider more on Wednesday night at our regular meeting."

Commissioner Ciani: "I think that covers it for now, I move we adjourn."

Commissioner Murphy: "Second."

Commissioner Siggins: "All in favor, unanimous Ayes."

The Commission then adjourned its meeting at 1840 hours.

  
SECRETARY



13 JUNE 1979

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, June 13, 1979 at 1730 hours in regular session.

PRESENT: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

Commissioner Siggins presiding.

OCT 19 1979

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RECOMMENDATIONS OF THE AWARDS COMMITTEE

Commissioner Siggins: "Commissioner Toler chaired the Awards Committee on Friday of June 8th. You have the return of recommendations on that Commissioner?"

Commissioner Toler: "I would move for approval for the Officers who are recommended for Medals of Valor."

Commissioner Siggins: "Okay, pursuant to Section 8.405(a)(4) of the Charter we have...did you count them up, how many Silvers? 14 Silvers, 13 Bronze, excellent. Commissioner Toler has recommended the Awards."

Commissioner Ciani: "Second."

Commissioner Siggins: "Seconded by Commissioner Ciani, all in favor?"

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

Commissioner Siggins: "Okay, can we set a date for the presentation for the 14 Silver Medals of Valor, and 13 Bronze Medals of Valor and invite the families of the Department members?"

Lieutenant Frazier: "Yes sir, how about the 27th?"

Commissioner Siggins: "The 27th of June? Okay, so ordered."



Commissioner Ciani: "Will the Certificates be ready by then?"

Lieutenant Frazier: "I believe they will be."

Commissioner Siggins: "Okay, fine. Thank you Commissioner Toler."

Commissioner Toler: "My pleasure."

RESOLUTION NO. 388-79

RECOMMENDATIONS OF THE AWARDS COMMITTEE - APPROVED

RESOLVED, that the following-named members of the Police Department, be, and they are hereby granted Awards of Valor - Silver Medal and Bronze Medal, under the provisions of Sections 5.119 and 5.131 of the Rules and Procedures of the San Francisco Police Department, as approved by the Awards Committee on Friday, June 8, 1979:

Captain Robert E. Mattox (Retired)..Silver Medal of Valor  
Sergeant Frank G. Kerlin.....Silver Medal of Valor  
Sergeant Jesus M. Torres.....Silver Medal of Valor  
Police Officer Allan C. Duncan.....Silver Medal of Valor  
Police Officer Judith M. Hardiman..Silver Medal of Valor  
Police Officer Richard M.  
Huddleston....,Silver Medal of Valor  
Police Officer Jacklyn M. Jehl.....Silver Medal of Valor  
Police Officer Ronald P. Kern.....Silver Medal of Valor  
Police Officer William D. Langlois.Silver Medal of Valor  
Police Officer Paul J. Maniscalco..Silver Medal of Valor  
Police Officer John S. Probst.....Silver Medal of Valor  
Police Officer Andrew E.  
Stoeppelwerth.....Silver Medal of Valor  
Police Officer Michael F. Travis...Silver Medal of Valor  
Police Officer George F. Walsh.....Silver Medal of Valor  
Police Officer Gilbert Chang.....Bronze Medal of Valor  
Police Officer Timothy J. Connell..Bronze Medal of Valor





Police Officer Alex E. Fagan.....Bronze Medal of Valor  
Police Officer Peter Gamino.....Bronze Medal of Valor  
Police Officer Judith M. Hardiman..Bronze Medal of Valor  
Police Officer Terry L. Hart.....Bronze Medal of Valor  
Police Officer Ross H. Laflin.....Bronze Medal of Valor  
Police Officer Raymond C. Krutt....Bronze Medal of Valor  
Police Officer William D. Langlois..Bronze Medal of Valor  
Police Officer Gary D. Manini.....Bronze Medal of Valor  
Police Officer Robert J. Puts.....Bronze Medal of Valor  
Police Officer Martin T. Sacco.....Bronze Medal of Valor  
Police Officer Philip C. Toland....Bronze Medal of Valor

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 389-79

REWARDS GRANTED TO MEMBERS OF THE POLICE DEPARTMENT.

WHEREAS, the following-named members of the Police Department have been commended for courageous service under the provisions of Sections 5.119 and 5.131 of the Rules and Procedures of the San Francisco Police Department at a meeting of the Police Commission held on Wednesday, June 13, 1979; and

WHEREAS, Chief of Police Charles R. Gain has recommended to the Police Commission that the said members be rewarded under the provisions of Section 8.405(a)(4) of the Charter of the City and County of San Francisco; therefore be it

RESOLVED, that Captain Robert E. Mattox (retired), Sergeants Frank G. Kerlin and Jesus M. Torres, and Police Officers Allan C. Duncan, Judith M. Hardiman, Richard M. Huddleston, Jacklyn M. Jehl, Ronald P. Kern, William D. Langlois, Paul J. Maniscalco, John S. Probst, Andrew E. Stoeppelwerth, Michael F. Travis, and George F. Walsh, be, and they are hereby awarded Silver Medals of Valor and granted a reward of \$100.00 each as provided for under said section of the Charter; and be it further

RESOLVED, that Police Officers Gilbert Chang, Timothy J. Connell, Alex E. Fagan, Peter Gamino, Judith M. Hardiman, Terry L. Hart, Ross H.



Laflin, Raymond C. Krutt, William D. Langlois, Gary D. Manini, Robert J. Puts, Martin T. Sacco, and Philip C. Toland, be, and they are hereby awarded Bronze Medals of Valor and granted a reward of \$50.00 each, as provided for under said section of the Charter.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

390-4th STREET - M & M TYPEWRITER

- a) At 390-4th Street, install a 22' green zone, extending from 32' to 54' south of north property line.

1360 HAIGHT STREET - LATENT IMAGE PHOTO CENTER

- a) At 1360 Haight Street, install a 22' green zone, extending from west property line 22' east of same.

243-8th STREET - MADDEN & SONS

- a) At 243-8th Street, install a 20' yellow zone, extending between driveway of 243 & 245-8th Street.
- b) Revoke existing 20' green zone between driveway of 243 and 245-8th Street.

698 VERMONT STREET - R & T MARKET

- a) At 698 Vermont Street, install a 22' green zone, extending from south property line 22' north of same.



3996 MISSION STREET - DIODATI CONSTRUCTION -  
(ZONE ON BOSWORTH)

- a) At Unit block of Bosworth, install a 44' yellow zone, extending from 6' to 50' west of east property line.

1-9 SUTTER STREET - FLAT IRON BUILDING

- a) At 1-9 Sutter Street, install a 22' yellow zone, extending from 6' to 28' west of Sansome Street.
- b) Revoke existing 22' Special Truck Loading Zone, also remove meter SUT 3.

1775-44th AVENUE - JOHN L. ROBERTS DEVELOPMENT  
CENTER FOR HANDICAP

- a) At 1775-44th Avenue, install a 160' white school bus zone, extending 87' north of the north curb of Noriega Street for a distance of 160'.

2948-21st STREET - EL GALLO GIRO - DENIED

- a) At 2948-21st Street, install a 22' yellow zone, extending from west property line 22' east of same. DENIED.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 42 feet of green and yellow zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins





RESOLUTION NO. 378-79

AVIS RENT A CAR SYSTEM, INC.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Avis Rent A Car System, Inc., against the City and County of San Francisco in the sum of \$266.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 26, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 380-79

GERARDO LUIS RAMOS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Gerardo Luis Ramos against the City and County of San Francisco in the sum of \$23.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 13, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 381-79

SUSAN B. MILLER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Susan B. Miller against the City and County of San Francisco in the sum of \$23.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 28, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins



RESOLUTION NO. 382-79

LAURINE BUADA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Laurine Buada against the City and County of San Francisco in the sum of \$23.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 14, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 379-79

CHARLES TALLEY

RESOLVED, that the recommendation of the City Attorney for settlement of Small Claims Court Action No. 359-990 in the sum of \$188.88 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 1, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 383-79

AUTHORIZING ATTENDANCE OF POLICE OFFICERS DALE BOYD, MICHAEL CHAN, PERSONNEL AND TRAINING, JOSEPH CURRIE, PARK STATION, DANIEL HAMPTON, CRIMES SPECIFIC TASK FORCE, AND CATHERINE NELSON, VICE CRIMES, AT THE SELF DEFENSE AND ARREST TECHNIQUES INSTRUCTORS' COURSE AT OAKLAND, CALIFORNIA, FROM JULY 9, 1979 TO JULY 20, 1979, INCLUSIVE.

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RESOLVED, that the recommendation of the Chief of Police that Police Officers Dale Boyd, Michael Chan, Personnel and Training, Joseph Currie, Park Station, Daniel Hampton, Crimes Specific Task Force, and Catherine Nelson, Vice Crimes, be detailed



to attend the Self Defense and Arrest Techniques Instructors' Course at Oakland, California, from July 9, 1979 to July 20, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Police Officers Dale Boyd, Michael Chan, Personnel and Training, Joseph Currie, Park Station, Daniel Hampton, Crimes Specific Task Force, and Catherine Nelson, Vice Crimes, in a sum not to exceed \$84.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RECOMMENDATION OF THE CHIEF OF POLICE THAT INSPECTOR HOWARD BAILEY, INVESTIGATIONS, HOMICIDE, BE GRANTED PERMISSION TO ATTEND THE DEATH INVESTIGATIONS SEMINAR AT THE NATIONAL ACADEMY, QUANTICO, VIRGINIA, FROM JULY 22, 1979 TO AUGUST 3, 1979, INCLUSIVE. - CANCELLED

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RESOLUTION NO. 384-79

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Lieutenant Roy Anderson )	\$888.00	(At a Middle Man-
Southeast Station )	each	(agement Training
)		(Course at Watson-
Lieutenant Sidney Paton )		(ville, California,
Field Operations )		(from May 12, 1979
)		(to May 25, 1979,
Lieutenant James Skinner)		(inclusive.
Richmond Station )		

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins





RESOLUTION NO. 385-79

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Police Officer George Stasko)	\$172.00	(At the Police
Northern Police Station	)	(Report Writing
		(Instructor's
		(Workshop at Carmel,
		(California, from
		(May 14, 1979 to
		(May 16, 1979, in-
		(clusive.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "No report Mr. President, members of the Commission."

POLICE COMMISSION RESOLUTION DECLARING CONFIDENCE  
AND FULL SUPPORT FOR CHARLES R. GAIN AS CHIEF OF  
POLICE OF THE SAN FRANCISCO POLICE DEPARTMENT.

Commissioner Siggins: "Any questions of the Chief? I would have a question Chief, in light of public newspaper print and media about a vote by one of the employee organizations: Question, can you operate with the same efficiency that you have been doing since January of 1976?"

Chief Gain: "Mr. President, members of the Commission, there is no question in my mind whatever but that I can. We have, obviously, issues within the Department in regard to which there is need for an understanding. We have a definite need to enhance communications. But I am convinced of this that a police department cannot operate solely on the basis of issues as far as my effectiveness or organizational effectiveness. We have to operate on the basis of identifying and implementing needed programs whether it be training, those oriented toward crime, or whatever it may be, and within



that regard I am convinced that the personnel of this Department, notwithstanding personalities or specific issues, as I am, will be dedicated to continuing the progressiveness within this department. So there is no question in my mind."

Commissioner Siggins: "I remember discussions we had before you ever were hired by the Commission to be the Chief of Police and none of those discussions involved whether or not you were going to be the most popular Chief, did they?"

Chief Gain: "No."

Commissioner Siggins: "I don't think we ever asked you that question. We asked you to perform in the way that you have the capabilities to perform. You recognize that in police work you do have an attitude of excellence and I want to ask you publicly if you can continue to do that in light of this vote that was taken recently by one of the Police Unions?"

Chief Gain: "Yes, absolutely."

Commissioner Toler: "I also would like to ask a question Mr. President. The form was sent to the officers, did we receive a copy of that form by any chance?"

Commissioner Siggins: "No, I have never seen it."

Commissioner Ciani: "I understand that the wording of the ballot was a very simple question, 'do you have confidence in the ability of the Chief of Police to perform his duties?' That was the entire substance of the question that was put before the POA membership."

Chief Gain: "If I may Mr. President, a staff member happens to have a copy. He is going to bring it here if you want it."

Commissioner Murphy: "Well, is that what it said, do you have confidence in the Chief of Police question mark?"

Chief Gain: "Yes, in effect that's what it said. If you want a copy he is going to have one here in a few seconds."



Commissioner Murphy: "Well Mr. President, I would like to offer a proposal, 'We are aware that the police officers of this Department have, by a large margin, voted no confidence in the Chief of Police in a poll sponsored by the Police Officers' Association. I think it is necessary for us to formally and publicly respond to the results of that poll, therefore, I am going to propose the following resolution: 'Resolved, that the Police Commission has full confidence in the ability of the Chief of Police to perform his duties.' In making this motion it is my intention that this Commission repudiate any attempt by the Police Officers' Association to usurp the powers and prerogatives of this Commission, those are ours alone. I would like a second to that if I may."

Commissioner Toler: "Second the motion."

RESOLUTION NO. 418-79

POLICE COMMISSION RESOLUTION DECLARING CONFIDENCE  
AND FULL SUPPORT FOR CHARLES R. GAIN AS CHIEF OF  
POLICE OF THE SAN FRANCISCO POLICE DEPARTMENT.

WHEREAS, we are aware that the Police Officers of this Department have by a large margin voted no confidence in the Chief of Police; and

WHEREAS, we think it is necessary for us to formally and publicly respond to the "no confidence vote" and in doing so, it is incumbent upon us to emphasize the fact that this Commission is the only body authorized by Charter to hire and fire the Chief of Police; therefore be it

RESOLVED, that the Police Commission has full confidence in the ability of Charles R. Gain to continue in the performance of his duties as Chief of Police of the San Francisco Police Department.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

Commissioner Siggins: "Any further discussion? Question? All in favor?"

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

Chief Gain: "Thank you Mr. President, members of the Commission."





RECEIPT OF PROPOSED GENERAL ORDER ON WEAPONS AND  
PROTECTIVE EQUIPMENT. (COPIES SENT TO EMPLOYEE  
ORGANIZATIONS) - ACKNOWLEDGED

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AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 386-79

REQUEST FOR SUPPLEMENTAL APPROPRIATION IN THE  
AMOUNT OF \$77,720 TO RECLASSIFY ONE VACANT POSI-  
TION OF Q80 CAPTAIN TO ONE POSITION OF 0488 COM-  
MANDER.

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RESOLVED, that the Police Commission  
hereby approves the request for a supplemental  
appropriation which will reclassify one vacant  
position of Q80 Captain to one position of 0488  
Commander through the 1979-80 fiscal year.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

REQUEST FOR A SUPPLEMENTAL APPROPRIATION TO  
RECLASSIFY TWO 1442 JR. CLERK STENOS TO TWO  
1424 CLERK TYPISTS, ONE 1458 LEGAL STENOGRAPHER  
TO ONE 1460 SENIOR LEGAL STENOGRAPHER, ONE 8174  
ATTORNEY - CIVIL AND CRIMINAL TO ONE 8176 TRIAL  
ATTORNEY - CIVIL AND CRIMINAL; ONE 8213 POLICE  
SERVICE AIDE AND ONE 8217 STATION OFFICER TO TWO  
7410 AUTOMOTIVE SERVICE WORKERS. •ALL POSITION  
RECLASSIFICATIONS TO BE EFFECTIVE JULY 1, 1979.

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Commissioner Siggins: "Okay, we previously adopted  
the resolutions approving the reclassifications,  
this is a funding."

Commissioner Murphy: "I would like to make a  
comment on this, it doesn't effect my vote at all,  
but this is what I was talking about two or three  
meetings ago. I said I thought it was kind of  
foolish for the Commission to have to pass, or  
act on something of this sort, of which we have  
no idea what Junior Clerks are doing and, really,  
it isn't a matter for us, it's a matter for the  
administration. Do we have to do this by Charter,  
and if it is Charter, would you please see if  
you can get the Charter Commission to take it  
out or recommend that it be deleted."



Commissioner Ciani: "I think the Charter does require us to act on these matters. You may have in mind putting them into the Consent Calendar, but in any event they would have to be acted upon."

Commissioner Murphy: "Putting it into the Consent Calendar would be more appropriate."

Chief Gain: "Yes, I would submit if I may, it's a policy matter. It's really a policy question which I think has to be resolved by the Commission when it comes to these type of reclassifications. It could go on the Consent Calendar."

Commissioner Siggins: "It could be, yes, especially if we have already passed the policy of re-classification it could be, but my understanding....."

Commissioner Murphy: "We could always question it if we have any questions about it."

Commissioner Siggins: "Lieutenant Lennon is here to answer any questions in that regard. Did anyone make a motion?"

Commissioner Murphy: "I move the approval."

Commissioner Ciani: "Second."

Commissioner Siggins: "All in favor?"

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 387-79

REQUEST FOR A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$106,584.78 TO RECLASSIFY TWO 1442 JUNIOR CLERK STENOGRAPHERS TO TWO 1424 CLERK TYPISTS: ONE 1458 LEGAL STENOGRAPHER TO ONE 1460 SENIOR LEGAL STENOGRAPHER: ONE 8174 ATTORNEY - CIVIL AND CRIMINAL TO ONE 8176 TRIAL ATTORNEY - CIVIL AND CRIMINAL: ONE 8213 POLICE SERVICE AIDE AND ONE 8217 STATION OFFICER TO TWO 7410 AUTOMOTIVE SERVICE WORKERS. ALL POSITION RECLASSIFICATIONS ARE TO BECOME EFFECTIVE JULY 1, 1979.

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RESOLVED, that the Police Commission hereby approves the request for a supplemental appropriation in the amount of \$106,594.78 which will reclassify two 1442 Junior Clerk Stenographers to two 1424 Clerk Typists; one 1458 Legal Stenographer to one 1460 Senior Legal Stenographer;



one 8174 Attorney-Civil and Criminal to one 8176 Trial Attorney-Civil and Criminal; one 8213 Police Service Aide and one 8217 Station Officer to two 7410 Automotive Service Workers. All position reclassifications are to become effective July 1, 1979.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

HEARING OF POLICE OFFICER BRUCE BUSHNER, BUREAU OF COMMUNICATIONS

Michael Hebel: "Mr. President, at the end of last week I submitted a document to yourself and to Mr. Wilson, I believe there was a copy to Lieutenant Frazier concerning this matter with a request that it be put over. There were two reasons for that, one was my interpretation of a new decision that has come down in 1979, the Roccaforte Case and the implication of that as it applies to his matter presently before the Retirement Board. The second reason being that I had submitted a request again to the Lieutenant and to Mr. Wilson that if he intended to have any medical evidence presented that I would object on the basis that there was no right to cross examination if the reporting physician was not present for cross examination. Mr. Wilson indicated that there wouldn't be any opportunity on his part to have the numerous physicians that he anticipated subpoenaing for that particular matter to be present tonight before the Commission. I again would request that that matter be put over."

Commissioner Siggins: "Well, I talked to Mr. Wilson last Friday on the matter and I think you had agreed to that, is that correct?"

Mr. Wilson: "It really wasn't a problem with the physicians, it was a problem with having the physicians here on an evening when we had a number of other matters and my suggestion...on the first point, I don't agree with the councils reading of the Roccaforte Decision which really led him to request that this be postponed until the Writ of Mandate is heard and decided in court."

Commissioner Siggins: "I think that we do have a problem as expressed on this particular file before. What's he doing now?"

Michael Hebel: "He is off on Sick Leave With No Pay."





Lawrence Wilson: "He's not authorized to carry a weapon."

Commissioner Siggins: "I know, but you got a vote before the Retirement Board and it was a tie vote, is that right?"

Michael Hebel: "Correct, it was a three to three vote, it is going to be heard by Judge Merrill on July 6th. I don't know the reputation of that Judge for.....undoubtedly he will take the matter under submission and I would hope that he gets it out within two weeks."

Lawrence Wilson: "Our suggestion...er the Department suggestion is that this be heard by the Department on July 11th. That's the only time when we have no hearings set."

Commissioner Siggins: "Alright, July 11th, fine, is that alright with you?"

Michael Hebel: "Well it's not alright with me, I requested it be put over until I get a decision from the Superior Court."

Commissioner Siggins: "Well when are you getting.. I thought you were getting...you filed that petition June 5th."

Michael Hebel: "I filed that petition and it was initially set for June 22nd and it was, however, put over by Judge Merrill at his own request to July 6th."

Commissioner Siggins: "Well, let's put it on for July 11th."

Lawrence Wilson: "Sir, I am confused whether...I would just like to be clear that the legal position stated in the letter...."

Commissioner Siggins: "Well you can work out...that's what I was going to say, you work out the legal position. If you don't agree with it then we can discuss that on July 11th."

Lawrence Wilson: "Well, I will send a letter to you briefing our position because it is not the same set of circumstances. There is no reason not to proceed."



Commissioner Siggins: "Alright, alright."

Michael Hebel: "Well just a word....."

Commissioner Siggins: "This is not going to be a pattern where we are going to have officers when this prima facie evidence, you know, working here and we are not going to make any determination about disability either."

Michael Hebel: "No, I am aware of that Commissioner."

Commissioner Siggins: "Okay."

Lawrence Wilson: "Commissioner, can the Legal Office submit a letter to you setting forth their legal position on whether we can go forward with this before the Judge makes his decision? There is a file about three inches thick on medical evidence that the Judge will have to go through. So the disposition in terms of legal situation could be some time in coming, and I think we want to move before then and, of course, I need to have a date certain so I can assure the....."

Commissioner Siggins: "Well, why don't you give us that legal interpretation."

Lawrence Wilson: "We will have it in the Commissioners hands by tomorrow."

Commissioner Siggins: "Well, at least by June 27th."

Michael Hebel: "Fine."

Commissioner Siggins: "Next item."

RESOLUTION NO. 390-79

HEARING OF POLICE OFFICER BRUCE BUSHNER, COMMUNICATIONS DIVISION

WHEREAS, the hearing of Police Officer Bruce Bushner, Communications Division, was called, it having been set for this date; and

WHEREAS, Sergeant Michael Hebel, attorney



for Police Officer Bruce Bushner, requested that Officer Bushner's disciplinary hearing be delayed until a Writ of Mandate has been filed on his behalf with the Superior Court, and has been heard and decided; and

WHEREAS, Mr. Lawrence Wilson, Legal Office, stated that there is no reason to delay Officer Bushner's hearing until the Judge rules on the Writ of Mandate which could be quite some time in the future and requested Officer Bushner's hearing be set for Wednesday, July 11, 1979; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Bruce Bushner, is set for Wednesday, July 11, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

HEARING RELATIVE TO TERMINATION OF RECRUIT OFFICER DENNIS DOUGHERTY

The hearing relative to the termination of Recruit Officer Dennis Dougherty was called, it having been set for this date.

Police Commissioner Richard J. Siggins gave a chronological sequence of the events and correspondence regarding Recruit Officer Dennis Dougherty.

Mr. Lawrence Wilson, Legal Office, representing the Police Department requested approval of the Commission for the termination of Recruit Officer Dennis Dougherty by Chief of Police Charles R. Gain.

Recruit Officer Dennis Dougherty appeared in his own behalf, and presented oral and written evidence as to why the Commission should overrule Chief Gain's termination order.

Sergeant Michael Hebel, in charge of recruit training in the Police Academy, presented oral testimony on behalf of the Police Department.

The Police Commission, having listened to testimony from the above, took the matter under submission, after which the following resolution was adopted:





RESOLUTION NO. 391-79

DECISION - HEARING RELATIVE TO TERMINATION OF  
RECRUIT OFFICER DENNIS DOUGHERTY

WHEREAS, on January 15, 1979, Chief of Police Charles R. Gain, terminated Dennis Dougherty as a Recruit Officer of the San Francisco Police Department for conduct unbecoming an officer; and

WHEREAS, it was discovered that because Recruit Officer Dennis Dougherty was under a temporary appointment and being paid with other than ad valorem funds, the Chief's termination order could not be final until approved by the Police Commission; and

WHEREAS, a hearing on said termination of Recruit Officer Dennis Dougherty was heard before the Police Commission in accordance with Section 3.501 of the Charter of the City and County of San Francisco on Wednesday, June 13, 1979, and on Wednesday, June 13, 1979, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the Chief's termination order made and imposed upon Recruit Officer Dennis Dougherty is justified and proper; therefore be it

RESOLVED, that it is the order of the Police Commission that the Chief's termination order made and imposed on Recruit Officer Dennis Dougherty, be, and the same hereby affirmed and approved.

(The entire proceedings were taken in shorthand form by Hearing Reporter Linda Pransky, C.S.R.)

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

ED FLEISHELL

Lieutenant Frazier: "Mr. President, before going to the next item we have an added item, Mr. Ed Fleishell, who wanted to speak to the Commission in regard to Environmental Control Officers."



Chief Gain: "Mr. President, members of the Commission I talked with Mr. Fleischell today and clarified the issues to his satisfaction. He and I will be meeting in the future so he will not be present tonight."

Commissioner Siggins: "Okay, next item then."

Commissioner Ciani: "Well, I wanted to respond to a charge that the Commission gave me on Monday when we were organizing our hearings. We decided at that time, regardless of how we settled the staff question which is still up in the air, that our investigation should get off the ground by trying to notify potential witnesses that we are going to have hearings and ask them to make themselves known to the Commission. So I have drafted a very brief form of notice which I have distributed to the Commissioners. I don't think it takes any formal action, but there are a couple of questions that arise whether we want to publish it in one or more places, and how many phone numbers we are going to provide for persons to call in. In that regard, I suggest that we use the Commission telephone number. How many lines do we have coming in to the Commission Office?"

Lieutenant Frazier: "We have three Commissioner."

Commissioner Ciani: "So if they dial the regular number there are three lines?"

Lieutenant Frazier: "Right, 1667, 1668 and 1669."

Commissioner Ciani: "Well, that may be sufficient. We should also provide for an address for persons to contact us in writing."

Commissioner Murphy: "Something that's happened just this evening is one, the question of whether we want to have full blown hearings, or whether we want to have persons interviewed and their knowledge of the situation evaluated, so maybe it's a little premature."

Commissioner Ciani: "Well, it isn't actually premature because this action does not establish any hearing dates. The purpose of this notice is simply to find the person who wish to give us, or give someone, evidence. Just to have them make themselves known will help us shape the hearings. So I think we ought to go ahead with the notice because the time is so short."

Commissioner Murphy: "My only question was whether we should say those are for hearing purposes or for witness purposes. In other words for information



purposes. Because we may or may not have hearings, it depends on the numbers, the time element, and so on."

Commissioner Ciani: "Well, the notice doesn't specifically say hearings, it says investigation."

Commissioner Murphy: "Good."

Commissioner Ciani: "And so by completing it with the phone numbers and the address, I think we can authorize the notice to be published. I understand we have an arrangement with the Progress to publish our notices, is that correct Lieutenant Frazier? Do we generally publish ads in that manner?"

Lieutenant Frazier: "Yes Commissioner, they are now published in the Progress."

Commissioner Ciani: "I also propose that we publish up some kind of a press release recognizing that other media may wish to make known the fact that we are looking for witnesses. I started to draft something, but in view of Commissioner Murphy's suggestion, I think I would revise it and ask that it be distributed in the usual channels for written press releases. If I am authorized to do so, I will just polish this up and try to put it in the form of a press release and get it distributed."

Commissioner Siggins: "Well that's what you are assigned to do. Okay?"

Commissioner Ciani: "Okay."

Commissioner Siggins: "Fine."

Commissioner Ciani: "Thank you."

Commissioner Sanchez: "Just a point of clarification, does this mean, therefore, that as so written this will be the protocol for investigation?"

Commissioner Ciani: "This isn't a protocol. The press release that I have distributed, which is a very rough draft, merely sets forth verbatim the eight items that the Mayor asked us in her letter to consider. At this point I think we could express it in this way: that this is what we have been asked to consider; we haven't yet taken up the question of how we are going to organize; and we





may want to consider other issues in addition to the ones that the Mayor has asked us to take up."

Commissioner Sanchez: "Therefore?"

Commissioner Ciani: "Therefore, I should amend this draft so that it clearly states this is what the Mayor has asked us to do, and that we will consider in greater detail exactly what the scope of our investigation will be."

Commissioner Toler: "Commissioner Ciani, are you saying this is the scope of our investigation that we have as listed here?"

Commissioner Ciani: "This is what the Mayor asked us to investigate and at this point that's what we are working with. We don't have any idea of what staffing problems we are going to have and that's going to effect the depth and the scope of the investigation. If we can't get any help, I just don't know how we are going to cover all of this ground. I don't know whether this is the time to consider whether we have any ideas for appropriations for staffing."

Commissioner Sanchez: "Or, through the Chair, I'd like to respond a little bit to this. It seems to me that this is the scope as defined by the Mayor, that in our initial discussions at the meeting on Monday there were a number of issues that were raised pertaining to the validity of some of the areas as far as a comprehensive objective investigation by this Commission. And it was my understanding that in trying to factor out special council, or whatever the proper term was to serve on us, that some of these parameters would be discussed with our resources prior to, I would assume, either publication and/or notice until we, ourselves, had limited the scope, given the Charter and what our jurisdiction so entails, and correct me if I am wrong, maybe I did not hear properly."

Commissioner Ciani: "I think that's what I said, that at this point we can represent that this list of eight items is what the Mayor has asked us to do and that we have further work to do to consider exactly what issues we are going to cover, for what reasons we might want to exclude, or limit the issues as they are stated here, and at some later time we can define the scope of the investigation. The notice that would be published is extremely brief and doesn't enumerate these eight items, it merely says that the investigation will cover issues such as the chronology of the disturbance, and the appropriateness, and timeliness of police response, etcetera, need for improvement in inter-agency communications and police prepared-



ness. I think that that's the minimum that we would be considering. I think that those issues were already things that we decided to review in connection with our own regular routine internal investigation which was underway before the Mayor asked us to expand on it. So if that's satisfactory, I propose that we leave the notice in that form and revise this release so that it makes clear that the scope of the investigation will be further detailed."

Commissioner Murphy: "I think there is an additional problem, and that is we really haven't defined what is within our capabilities, not within our desire or province, but our capabilities and some of the ways of developing those. We have to have some idea of the kind of staff we need and the numbers of staff we need, we have to determine whether we need someone like Mr. Toothman of POST to make some determinations as to the police science involved and so on. I think that we really have a lot of work ahead of us in making some decisions upon which the staffing, the money, and everything else is going to depend, and I really think we must have a meeting, probably separate from our regular meeting, to discuss that and make some decisions, and go after the money, and go after the staff to do it."

Commissioner Siggins: "Well, I can report that we have gotten a number of phone calls regarding staff but we haven't made that much progress."

Commissioner Murphy: "No, I know we haven't."

Commissioner Ciani: "Well but, the question of staff will turn on the question of money and so the question of money is pivotal. At this point we know that we are not going to get funding from the San Francisco Foundation."

Commissioner Sanchez: "How do you know that?"

Commissioner Ciani: "Because Commissioner Murphy was told that. We don't know if any other foundation will be interested in funding this kind of an inquiry. I think that most foundations take a long time to consider such requests and I don't know that it's feasible for us to pursue that route unless we know that it's going to go quickly and smoothly. We don't have any idea how much money we need. It seems that it's going to devolve on the city and the Board of Supervisors to find the money to do this if they consider that it's worth spending money on, as we apparently decided it is."





Commissioner Toler: "Well at this particular time we have zero dollars."

Commissioner Murphy: "That's right."

Commissioner Ciani: "Well, President Siggins mentioned a figure. It could be anywhere in the range of \$10,000 to \$250,000, depending on what kind of detail or what kind of approach you want to take it. So it's hard to say where to start. Do you establish the amount of money and let that then determine the scope of your investigation, or do you first decide what kind of investigation you want to do and then figure out what that is going to cost and try to get that amount of money?"

Commissioner Murphy: "I think we can depend on some more or less free help such as, e.g., but from the Department we can get clerical help some of that sort of thing, supplies, office space which would have to be the Commission Office, of course, but the other really telling factor is what professional help we can get and how much it's going to cost. That depends on the design of the study it seems to me, or the inquiry."

Commissioner Ciani: "Well, to get this moving we have to decide how we are going to approach it. Should be take steps now to ask someone to design the investigation and come up with a figure so that we could put that in a form of a request for appropriation and send it to the Board of Supervisors?"

Commissioner Toler: "Do you have such a person who could possibly design this?" ,

Commissioner Murphy: "I have been told, and I think you were present when he said this, that we have an attorney who has been interviewed and he said that he would be willing to design such a proposal if we could decide whether we wanted extensive hearings which would mean having witnesses here, cross examination, tapes, etcetera., or whether we would go into an interviewing process whereby investigators would go out and interview people and make a determination to present to us for final determination."

Commissioner Ciani: "Hasn't the Department's investigation taken that course of action? That is having investigators interview the witnesses so, that to some extent, that's been done?"

Commissioner Murphy: "Yes, but that wouldn't be an independent investigation."





Commissioner Ciani: "Well, we could use a combination of the two, perhaps we could have some investigation done separately and review it, and then determine if we wanted to have particular witnesses come before us for testimony. Does that make any sense?"

Commissioner Murphy: "It could, but I think we have to make a decision of what....first if we have the interview process used that will cost ex number of dollars, then if we want to extend it, then we have to find the additional dollars to pay for it."

Commissioner Ciani: "Okay, then it's clear that we are not going to have as much money as we would desire to do everything that we could possibly do. So I think to be reasonable about it we'd have to have some kind of pre-screening of witnesses, some idea beforehand of the scope and nature of their testimony, and then have particular witnesses testify. Now is there any inherent unfairness in that kind of a process?"

Commissioner Siggins: "I haven't thought it through. What I am looking for is someone that can handle the investigation from a direction standpoint with the highest degree of neutrality and then give to us the suggestions that this person should be heard from, these witnesses statements should be read, and that type of thing. I have been looking but we haven't found anybody like that yet."

Commissioner Ciani: "Well, I think you answered the question, and that would probably be the most efficient and the most cost effective way to do it. We should hire someone that we have confidence in as an independent person and have that person make recommendations as to what testimony we should take personally. Well, working with that Commissioner Murphy could the person who has offered to design ....."

Commissioner Murphy: "I don't know I think he may be present, Mr. Milano? I guess he isn't here. I could certainly propose it and see what, or you could as far as that's concerned....."

Commissioner Ciani: "Why don't we agree then that we will try to approach it in that way."

Commissioner Sanchez: "Or through the Chair, I would just like to raise two points if I might, number one, in reference to the Commission's investigation as so cited in the notice, I have said this before that I feel as one individual member that before we limit, or before we cite issues as so cited here, I guess namely the three or four



issues that were prepared, that we receive the report of the Department and review it and that in itself in reference to the review may raise additional questions and/or certain issues that we may want to look at and discuss with either special council, or whomever else we decide, whatever, and at that point, discuss the process of if we are going to interview or if we are going to do whatever, but not until such time, and I assume that report will be forthcoming Chief, I believe, what this week?"

Chief Gain: "Right."

Commissioner Sanchez: "And it will also be made a matter of a public document and everybody will have a chance to review it and at that time, hopefully next week, we could have a specific block of time set aside for Commission discussion. It might even be possible to have a Committee of the Whole, which I believe is parliamentary procedure, which I know we have used when I was on the Board of Education in order to have a fact finding so-called discussion without a quorum per se. So this way we could decide at that point if, indeed, we are going to have special council, the criteria for council, and the process by which council will be selected in order to insure a high degree of confidence and objectivity which I feel is going to be. hopefully, the key point of, basically, the full investigation, and I would just like to stress this again as I did last Monday that I am looking forward to reading, in depth, the Department's report and I feel at that point we will be able to raise the number of issues and questions which, hopefully, the investigation will look at and that, to me, is part of our response as a Police Commission."

Commissioner Toler: "Commissioner Sanchez, are you suggesting that before making any move that we receive the report from the Department?"

Commissioner Sanchez: "Yes, definitely. There may be more issues involved that we are totally unaware of that the Department will articulate meaning that this, in essence, may generate additional staff, or less staff, whatever, we just don't know what the parameters are other than the official request....."

Commissioner Siggins: "All we are looking for right now Commissioner Sanchez, and I think you will agree, is a Director and then we will....you are looking for one and I am looking for one, Commissioner Ciani is looking for one, Commissioner Murphy is looking for one and Commissioner Toler is looking for one, and you are starting a sabbatical and we are thinking about putting you on the job."





The Commissioners then scheduled an Executive Session Meeting regarding their investigation of the events of May 21-22, 1979 for Wednesday, June 20th, 1979, at 3:30 p.m., in Room 512, Hall of Justice.

PUBLIC HEARING ON APPLICATIONS TO DETERMINE PUBLIC CONVENIENCE AND NECESSITY FOR THE ISSUANCE OF VEHICLE FOR HIRE PERMITS. (CONTINUED FROM MEETING OF JUNE 4, 1979) - CONTINUED TO JUNE 27th FOR DECISION.

Commissioner Murphy commended Sergeant Lou Calabro and the Permit Bureau Staff for their report re: Taxicab Survey for Public Convenience.

Commissioner Siggins then asked Mr. Robert Byrne to give a brief outline of the report and contents.

Mr. Byrne asked that the report be introduced into evidence and then gave a verbal summary of it's contents.

Sergeant Calabro also gave an overview as to how he conducted the Taxi Cab Survey.

Commissioner Siggins then advised that the Report would be made public and that he doubted that any of his fellow Commissioners would make a motion at this time to vote on the matter of Public Convenience and Necessity for the issuance of Vehicle for Hire Permits.

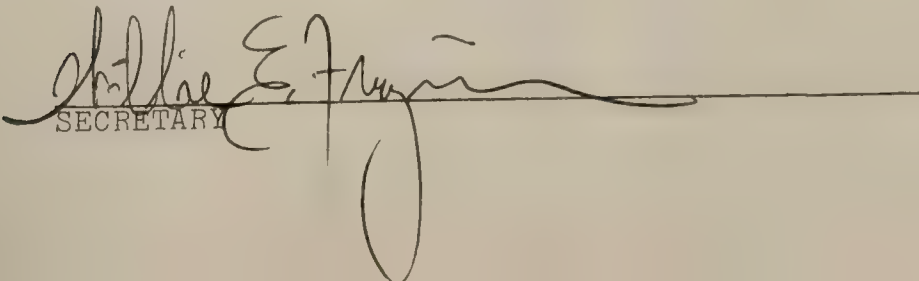
The Commission, on a motion by Commissioner Murphy, set a price of .25¢ a page for reproduction of the Taxicab Survey Report for those members of the Cab Industry and the public who are interested in its contents.

The Hearing on Public Convenience and Necessity for the issuance of Vehicle for Hire Permits, was then adjourned and continued to June 27th.

The entire matter was taken in shorthand form by Hearing Reporter Linda Pransky, C.S.R.

(Transcript on file in the Office of the Police Commission.)

The Commission then adjourned its meeting at 2109 hours.

  
SECRETARY





20 JUNE 1979

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, June 20, 1979 at 1730 hours, in regular session.

PRESENT: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

Commissioner Siggins presiding.

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EXECUTIVE SESSION - NO VOTES TAKEN

Commissioner Siggins: "Before we start, I think we should report that we had an Executive Session regarding construction of our plans for riot investigation and not votes were taken."

Commissioner Ciani: "I think you should mention that it was in the nature of consideration of individuals to be hired as staff so that it was a personnel matter within that exception to the Brown Act."

Commissioner Siggins: "Okay, no votes were taken in that regard."

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning, for the regulation of traffic on the public streets, i.e., and the same are hereby approved:

324 HAYES STREET - HAYES STREET

- a) At 324 Hayes Street, install an 18' white zone, extending from the west property line 18' east of zone.

1002 KEARNY STREET - JOHN J. DITO & SON

- a) At 1002 Kearny Street, install a 21' green zone, extending from 15' to 36'



north of Pacific Avenue.

- b) Revoke existing 21' yellow zone, extending from 15' to 35' north of Pacific Avenue.

1398 GREEN STREET - S.F.P.D.

- a) At 1398 Green Street, revoke existing 30' green zone, extending from 3' to 33' east of Polk Street.

92-7th STREET - S.F.P.D.

- a) At 92-7th Street, revoke existing 28' white zone, extending from 5' to 33' north of Mission Street.

1390 GREEN STREET - S.F.P.D.

- a) At 1390 Green Street, revoke existing 25' yellow zone, extending from 4' to 29' west of the east building line.

2000 GREENWICH STREET - APARTMENT BUILDING -  
HELD OVER TO JUNE 27, 1979

494 HAIGHT STREET - ZINGA RECORDS - DENIED

- a) At 494 Haight Street, install a 22' green zone, extending from 15' to 37' east of west property line. DENIED.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 104 feet of white, yellow and green zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins



RESOLUTION NO. 392-79

CAROLYN DAVIS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Carolyn Davis against the City and County of San Francisco in the sum of \$1,250.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 11, 1978

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 393-79

CIAREN REEN AND HER ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ciaren Reen and her attorney against the City and County of San Francisco in the sum of \$780.16 in Small Claims Appeal Action No. 144-99, as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: October 20, 1978

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 394-79

GEORGE B. MITROFF

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of George B. Mitroff against the City and County of San Francisco in the sum of \$631.94 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: February 23, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins





RESOLUTION NO. 395-79

WAYNE F. SHIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Wayne F. Shin against the City and County of San Francisco in the sum of \$200.00 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: January 9, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 396-79

ESSIE L. COLLINS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Essie L. Collins against the City and County of San Francisco in the sum of \$180.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 30, 1978

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 397-79

CARL ERNEST

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Carl Ernest against the City and County of San Francisco in the sum of \$47.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 20, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins



RESOLUTION NO. 398-79

TONY C. JONES

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Tony C. Jones against the City and County of San Francisco in the sum of \$30.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 1, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 399-79

JESUS V. LOSA, JR.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jesus V. Losa, Jr., against the City and County of San Francisco in the sum of \$30.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 8, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 400-79

CONRAD ISECKE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Conrad Isecke against the City and County of San Francisco in the sum of \$24.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 2, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins



RESOLUTION NO. 401-79

INGATIUS PASSANTINO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ingatius Passantino against the City and County of San Francisco in the sum of \$23.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 10, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 402-79

MARGARET R. PETERSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Margaret R. Peterson against the City and County of San Francisco in the sum of \$23.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 25, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 404-79

JUDITH A. ROGERS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Judith A. Rogers against the City and County of San Francisco in the sum of \$15.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 13, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins





RESOLUTION NO. 405-79

JERRY H. GARDINER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jerry H. Gardiner against the City and County of San Francisco in the sum of \$10.50 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 2, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 403-79

CAROL L. COLVIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Carol L. Colvin against the City and County of San Francisco in the sum of \$20.50 in Small Claims Court Action No. 359-335, as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 19, 1978

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

The members of the Commission, having received, amended and returned the minutes of the meetings of May 2, 1979 and May 6, 1979, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins



RESOLUTION NO. 406-79

REQUESTING APPROVAL OF A PROPOSED GENERAL ORDER  
ON INVENTORIES OF EQUIPMENT AND FURNITURE

RESOLVED, that the Police Commission hereby adopts the proposed General Order regarding Inventories of Equipment and Furniture.

(Copy on file in the Police Commission Office.)

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "Mr. President, members of the Commission, I would like to apologize to you for being late. I was necessarily detained with some urgent business. I have no report Mr. President, members of the Commission."

Commissioner Ciani: "I note that you have enclosed under item 4 something about the 911 system, could you tell me something about the Bill Ad Hoc 374?"

Chief Gain: "Well, basically, it is one of deleting funding for 911 systems."

Commissioner Ciani: "And what was the basis for recommending the deletion of funding?"

Chief Gain: "Well, as I recall, it is a matter of getting the funding. The state wanting to support the funding. Someone has introduced a Bill. So this Bill, if enacted, if passed, there would not be state funding."

Commissioner Ciani: "Are the oponents to 911 opposed to it because it hasn't worked well elsewhere? What is the reason for deleting the funding?"

Chief Gain: "Well, we are opposed to the passage of the Bill because we want to implement 911 and we want appropriate state funding for 911."

Commissioner Ciani: "I am surprised that there is



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this kind of opposition, that's why I wanted to inquire of what the source of it is."

Chief Gain: "It was one state senator, I think, that introduced the Bill. So we are going in opposition to it. That's what it amounts to."

Commissioner Ciani: "Okay."

At this point people in the audience attempted to disrupt the orderly proceedings of the meeting by demanding that the Commission discuss the Chief's Report regarding the riot of May 21-22, 1979.

In response, Commissioner Sanchez stated: "Mr. Chairman, I would like to speak to this right now. I think Communication and process procedure are a valid part of our Commission Hearings and as so stated initially and (to people in audience) maybe some of you did not hear that. There was an Executive Session held this afternoon as posted under the guidelines of the Brown Act in the State of California. The Commission was reviewing a number of personnel as far as possible staff assistance and/or investigation which is covered under this as President Siggins did say, 'there was no vote taken,' and at this point there is no item on the agenda pertaining to the report and/or discussions of the riot, or whatever. The procedure is thus, if there is a request to speak to items off of the agenda then that's your right as individuals, or organizations, or citizens, whatever you wish to be, to speak to that, but right now there is no such item on the agenda, there was an Executive Session which was posted in advance according to law. I would assume that maybe at the next meeting there may be discussion of the report which was distributed Friday by the Chief of Police to the Commission and made public. Many of the Commissioners are reading that report, there are many questions that are being raised, whatever, which will be discussed, I assume, maybe at the meeting, or whatever. But until that time it is actually posted as an agenda item the Commission per se will not be discussing that until that time as far as procedure. The report is now available through the Police Commission Office. It is also available, I think, through the Chief of Police's Office. It's a very thick report. There is much matter in it and as I said it is being reviewed by the Commission and by individual organizations and groups and it is made available. So I would suggest that if perhaps you need more copies of this perhaps you could get them through the Department, but as of now this item is not an agenda item for discussion per se. It may be at the next meeting but if it isn't it will be posted and you will be notified in advance as are all agenda items which are always posted before the Commission. Lieutenant Frazier, don't we have this posted in the Commission Office and is it disseminated?"





Lieutenant Frazier: "Yes, it is distributed to the News Media, radio stations and television stations."

From the Audience: "Can we be assured that you are going to have a public hearing on this subject?"

Commissioner Murphy: "By all means."

Commissioner Sanchez: "Yes, mam, there will be a proper protocol and procedure for discussion and public hearings. This is a part of our responsibility."

From the Audience: "When it comes up on the agenda will it actually be discussed at the time?"

Commissioner Toler: "Yes it will be."

Commissioner Ciani: "I would call your attention to the fact that we have published in the newspaper a request for anyone who wants to testify to give their name and address....."

From the Audience: "It is ironic that you are having an investigation at all at this point. I think we should be allowed to get that part of the discussion in."

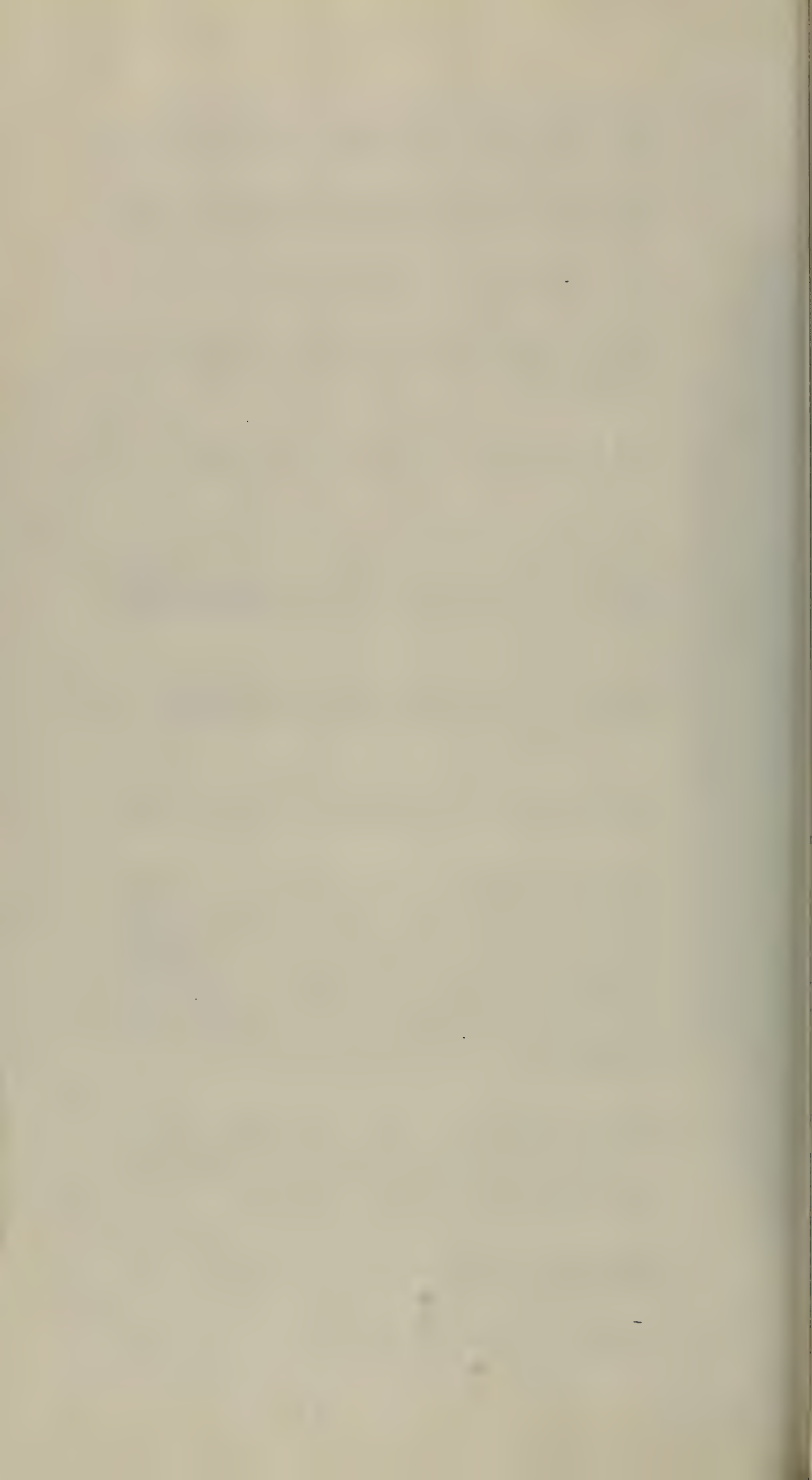
Commissioner Murphy: "Well, we said if you let us get through this agenda then we can have some discussion."

Commissioner Sanchez: "If I might again, through the Chair Mr. President, I realize that maybe some Commissioners would like to discuss after, if you want to put item #12 on and have some discussion, I think again in order to process the procedure it seems to me that basically there would be an item on there. Which means this way that everyone who would like to speak pertaining to this item would have the same right to speak following the same procedure than have a response because x number of people are here or are not here."

Commissioner Siggins: "Yes, and I think when we do have that hearing we would like to have it with an absence of animosity so that we can actually hold all of the hearings and discussions about our investigation in mutual form."

Commissioner Sanchez: "Can we proceed with the agenda items?"

Lieutenant Frazier: "Item 6 has been called Commissioner."



STATUS REPORT BY PATROL SPECIAL OFFICER DAN MORRIS, MISSION POLICE DISTRICT, ON HIS REQUEST FOR PERMISSION TO EXTEND HIS LEAVE OF ABSENCE. (CONTINUED FROM THE MEETING OF JUNE 6, 1979) - (SEE MINUTES OF THIS DATE.)

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Commissioner Siggins: "Yes, Officer Rolovich, how do we stand on this now?"

Officer Rolovich: "Mr. President, Commissioners, Dan Morris has decided to come back and take over his obligations as a beat owner until such time that he can properly sell the beat and then....in other words, he is going to be here full time from now on. So his leave of absence is up and he decided against staying up north and he is going to stay here until he fulfills his obligation to the Department or to the City or however he does it."

Commissioner Siggins: "Okay, is this Mr. Morris?"

Dan Morris: "Yes sir."

Commissioner Siggins: "How is Oregon?"

Dan Morris: "Very good sir."

Commissioner Ciani: "Have you terminated your employment in that position in Oregon?"

Dan Morris: "No man, I have not."

Commissioner Ciani: "You have not. What is your status there?"

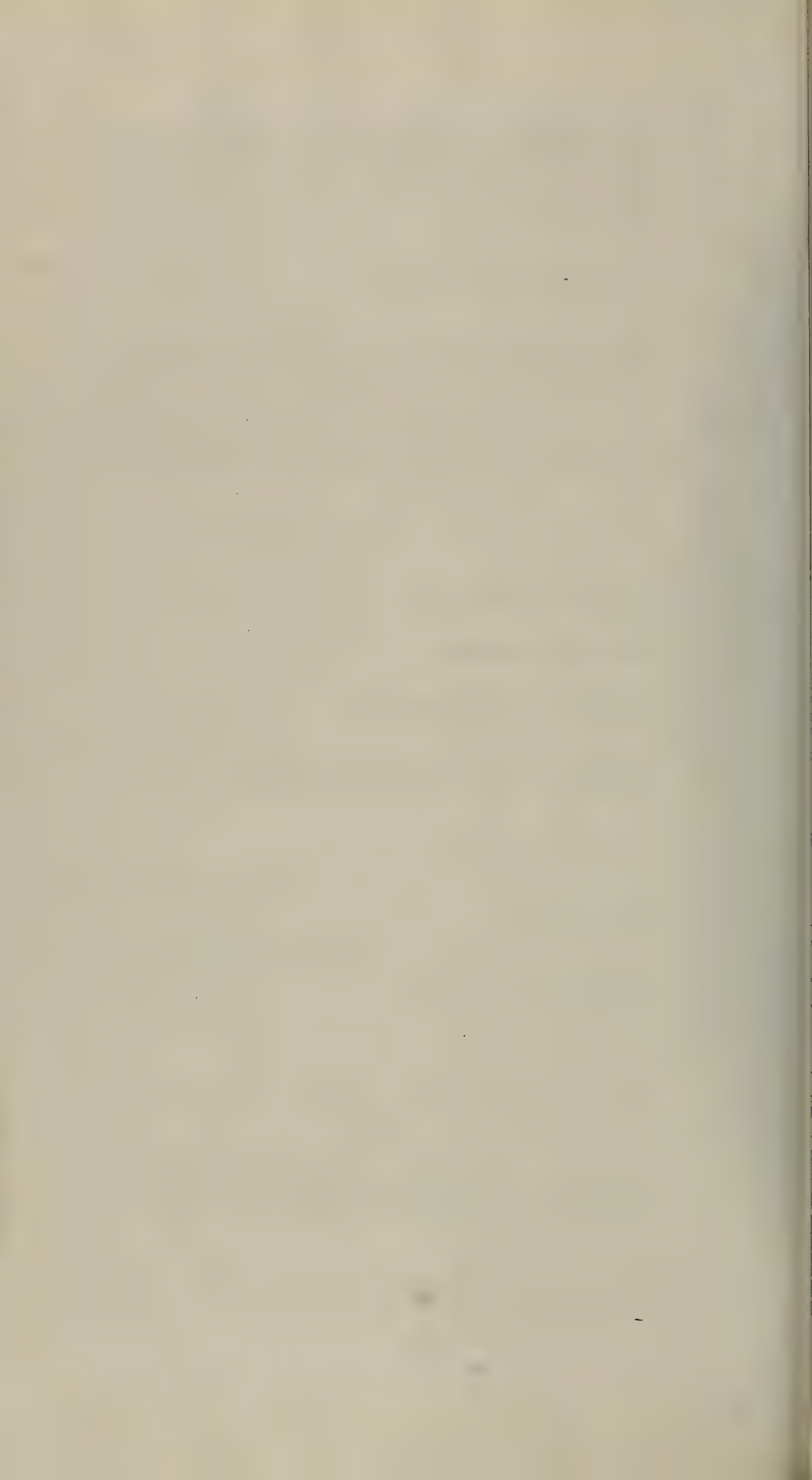
Dan Morris: "I have a leave of absence to deal with this problem."

Commissioner Murphy: "An indefinite leave?"

Commissioner Ciani: "So you plan to operate this beat and at the same time try to....."

Dan Morris: "I am free of all obligations from Oregon until I have settled this matter. They are going to hold me on their books so I will not have to be terminated there."

Commissioner Ciani: "But is it your intention to sell this beat, and will you be looking for a buyer?"



Dan Morris: "I have a potential buyer at this time and it's just problems that have arisen, drawing it a little longer."

Commissioner Murphy: "Does that seem satisfactory to you Officer Rolovich?"

Officer Rolovich: "Yes, Commissioner. That's the procedure."

Commissioner Siggins: "Okay."

Chief Gain: "Mr. President, members of the Commission, if I may suggest, I think that Mr. Morris should be reminded to adhere to the rules and regulations. It is my recollection that he had an authorized leave from the Commission that terminated on May 11th and that he did not adhere to procedures in getting a renewal of that leave."

Commissioner Siggins: "Yes, I think so. I think there was some kind of a conflict with what Captain Jeffery said?"

Dan Morris: "I had a spokesman scheduled to appear and it was through my own fault that I mis-informed him of the date and they didn't appear. That was what I was going to follow up with next was an apology for any inconvenience that I caused the Commission because of that failure."

Commissioner Siggins: "Well, then the Chief's remarks were well taken and you understand that?"

Dan Morris: "Yes sir."

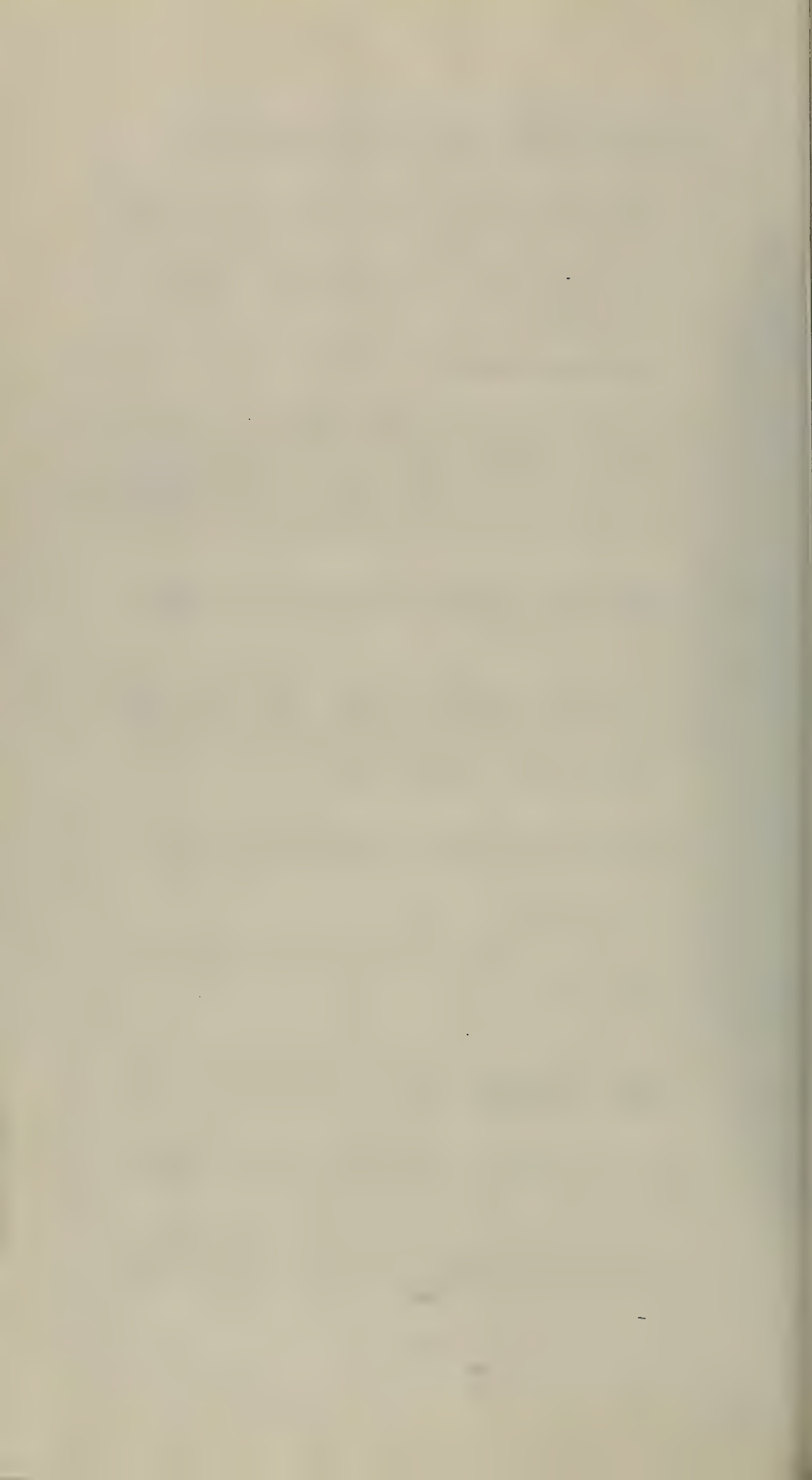
Commissioner Siggins: "Okay, thank you, thank you Chief."

#### HEARING RELATIVE TO TERMINATION OF RECRUIT OFFICER PETER J. WHITCOMB

The hearing relative to the termination of Recruit Officer Peter J. Whitcomb was called, it having been set for this date.

Recruit Officer Peter J. Whitcomb appeared in person and was represented by Mr. Edward J. Nevin, Attorney at law. He also presented oral





and written evidence as to why the Commission should over-rule Chief Gain's termination order.

Mr. Robert Byrne, Attorney at Law, representing the Police Department requested approval of the Commission for the termination of Recruit Officer Peter J. Whitcomb by Chief of Police Charles R. Gain.

Mr. Edward J. Nevin, Attorney at Law, gave a chronological sequence of the events and correspondence regarding Recruit Officer Peter J. Whitcomb.

Mr. Robert Byrne, Prosecuting Attorney, responded to Mr. Nevin's statements by calling Sergeant Michael Hebel, in charge of recruit training in the Police Academy, to give testimony as to testing procedures in the Academy.

The Police Commission after listening to testimony from the above parties took the matter under submission, after which the following resolution was adopted:

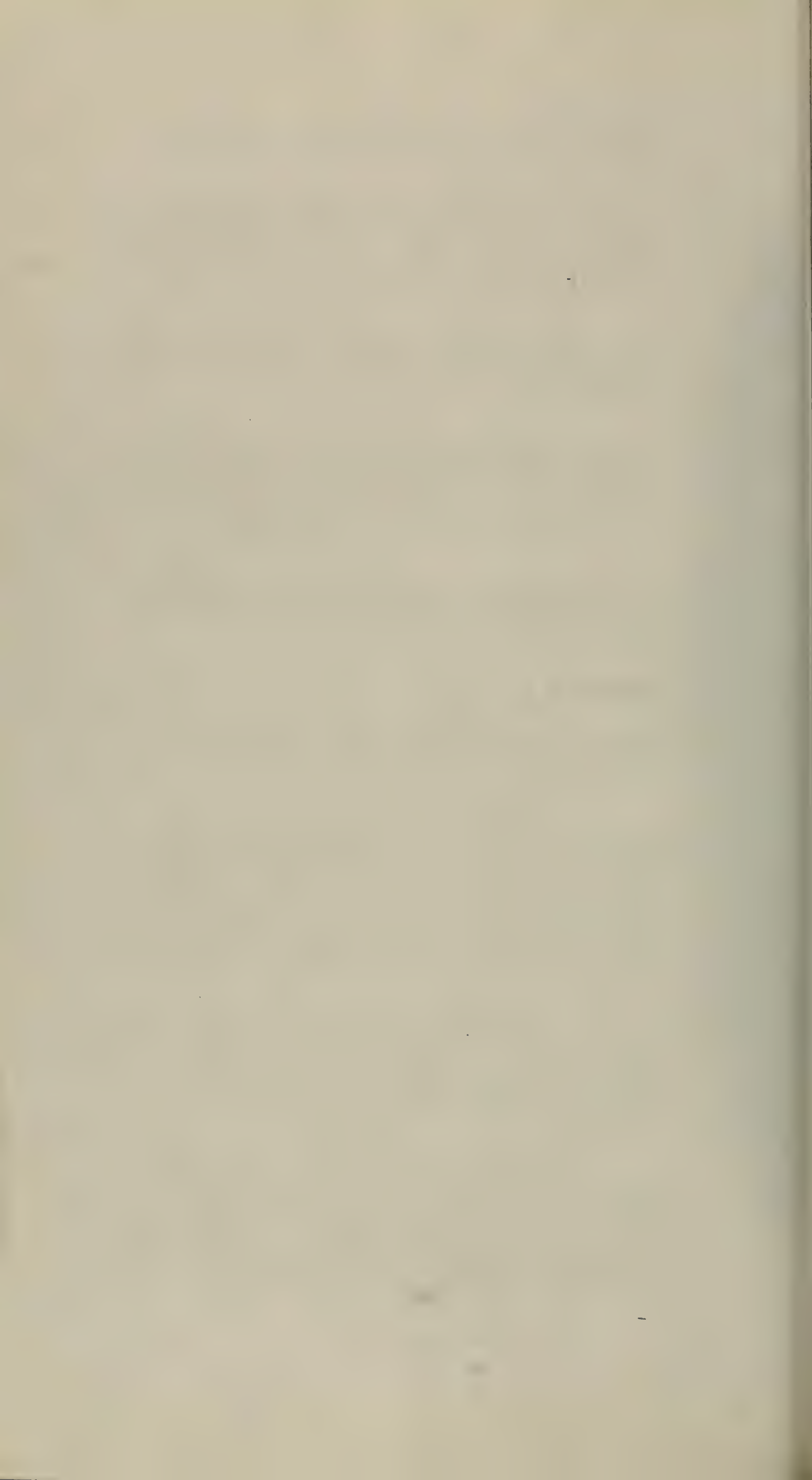
RESOLUTION NO. 407-79

DECISION - HEARING RELATIVE TO TERMINATION OF  
RECRUIT OFFICER PETER J. WHITCOMB.

WHEREAS, on January 24, 1979, Chief of Police Charles R. Gain, terminated Peter J. Whitcomb as a Recruit Officer of the San Francisco Police Department for failure to meet the academic standards of the San Francisco Police Academy as contained in Item (on page 37) of Recruit School Operations Manual, in that he failed both Test I and the retest given after remedial instructions; and

WHEREAS, it was discovered that because Recruit Officer Peter J. Whitcomb was under a temporary appointment and being paid with other than ad valorem funds, the Chief's termination order could not be final until approved by the Police Commission; and

WHEREAS, a hearing on said termination of Recruit Officer Peter J. Whitcomb was held before the Police Commission in accordance with Section 3.501 of the Charter of the City and County of San Francisco on Wednesday, June 20, 1979, and on Wednesday, June 20, 1979, the matter was submitted to the Police Commission for decision; and



WHEREAS, the Police Commission finds that the Chief's termination order made and imposed upon Recruit Officer Peter J. Whitcomb is justified and proper; therefore be it

RESOLVED, that it is the order of the Police Commission that the Chief's termination order made and imposed on Recruit Officer Peter J. Whitcomb, be, and the same hereby affirmed and approved.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 408-79

HEARING OF SERGEANT CHARLES C. GALE, SUPPORT SERVICES-RECORDS

WHEREAS, the hearing of Sergeant Charles C. Gale, Support Services Bureau-Records, was called, it having been set for this date; and

WHEREAS, Chief of Police Charles R. Gain requested that Sergeant Gale's disciplinary hearing be postponed and rescheduled for another date in order to review transcripts received from the Federal Government pertaining to charges against Sergeant Gale; and

WHEREAS, Mr. Stephen Bruce Bley, attorney for Sergeant Charles C. Gale, concurred with Chief Gain's request that the disciplinary hearing be postponed until a later date for the purpose of reviewing the transcripts from the Federal Government pertaining to charges against his client; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Sergeant Charles C. Gale, Support Services Bureau-Records, is set for Wednesday, July 18, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins



RESOLUTION NO. 409-79

HEARING OF SERGEANT JOSEPH H. CUNEO, SUPPORT  
SERVICES BUREAU - RECORDS

WHEREAS, the hearing of Sergeant Joseph H. Cuneo, Support Services Bureau-Records, was called, it having been set for this date; and

WHEREAS, Chief of Police Charles R. Gain requested that Sergeant Cuneo's disciplinary hearing be postponed and rescheduled for another date in order to review transcripts received from the Federal Government pertaining to charges against Sergeant Cuneo; and

WHEREAS, Mr. Stephen Bruce Bley, attorney for Sergeant Joseph H. Cuneo, concurred with Chief Gain's request that Sergeant Cuneo's disciplinary hearing be postponed and rescheduled for another date in order to review transcripts received from the Federal Government pertaining to charges against Sergeant Cuneo; and

WHEREAS, Mr. Stephen Bruce Bley, attorney for Sergeant Joseph H. Cuneo, concurred with Chief Gain's request that the disciplinary hearing be postponed until a later date for the purpose of reviewing the transcripts from the Federal Government pertaining to charges against his client; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Sergeant Joseph H. Cuneo, Support Services Bureau-Records, is set for Wednesday, July 18, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 410-79

HEARING OF POLICE OFFICER ALBERT J. O'KEEFE, SUPPORT  
SERVICES BUREAU-COMMUNICATIONS

WHEREAS, the hearing of Police Officer Albert J. O'Keefe, Support Services Bureau-Communications, was called, it having been set for this date; and

WHEREAS, Chief of Police Charles R. Gain requested that Police Officer O'Keefe's disciplinary





hearing be postponed and rescheduled for another date in order to review transcripts received from the Federal Government pertaining to charges against Police Officer O'Keefe; and

WHEREAS, Mr. Stephen Bruce Bley, attorney for Police Officer Albert J. O'Keefe, concurred with Chief Gain's request that the disciplinary hearing be postponed until a later date for the purpose of reviewing the transcripts from the Federal Government pertaining to charges against his client; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Albert J. O'Keefe, Support Services Bureau-Communications, is set for Wednesday, July 18, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

CONTINUATION OF THE HEARING OF POLICE OFFICER  
KATHERINE ANDERSON, PARK POLICE STATION

The matter of the hearing of Police Officer Katherine Anderson, Park Police Station, was called, it having been continued from the meeting of June 6, 1979.

Police Officer Katherine Anderson appeared in person and was represented by Ms. Alice Beasley, Attorney at Law.

Mr. Robert Byrne, Attorney at Law, appeared as the Prosecutor for the Police Department.

The following-named witness was called by the Prosecution, sworn and testified:

Sergeant Clarence Williams  
Internal Affairs Bureau

The following-named witness was called by the Defense, sworn and testified:

Police Officer Katherine Anderson  
Park Police Station

The following Exhibit was entered into evidence by the Prosecution:



Exhibit No. 3 - Police Department medical  
questionnaire of Katherine  
Anderson, dated May 7, 1975.

After listening to testimony from the above  
parties, the Commission then adjourned at 2120 hours,  
and the matter was continued to Wednesday, June 27,  
1979 at 1730 hours, in Room 551, Hall of Justice.

(The entire proceedings were taken  
in shorthand form by Hearing Reporter  
Dorsey A. McTaggart, C.S.R.)

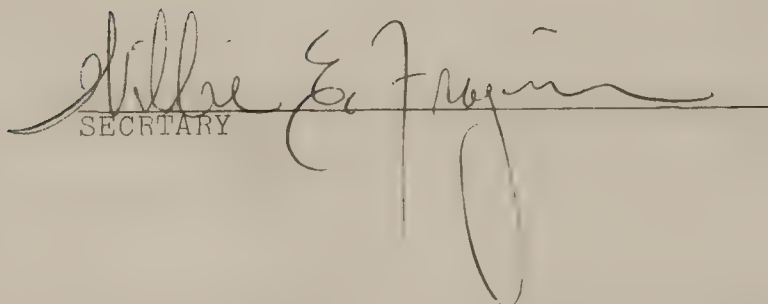
AYES: Commissioners Ciani, Sanchez, Toler,  
Siggins

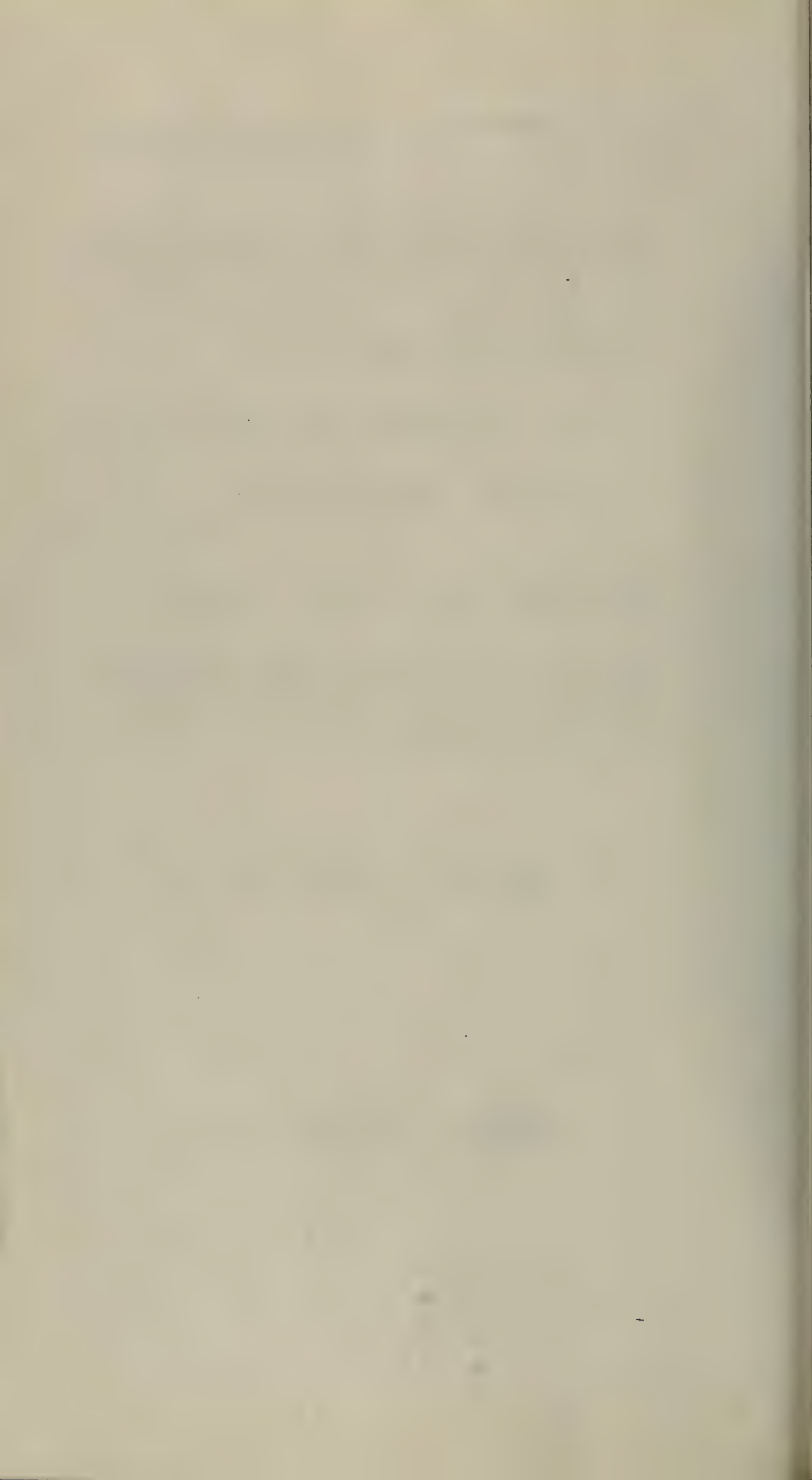
NOT VOTING: Commissioner Murphy

POLICE OFFICER JOHN S. CLEMENTS - IN MEMORIAM

A communication was received from Chief  
of Police Charles R. Gain officially notifying the  
Police Commission of the death of Police Officer  
John S. Clements, Traffic Division-Solo's, who  
died on Friday, June 15, 1979.

The Commission then adjourned its  
meeting at 2120 hours in memory of  
Officer Clements.

  
SECRETARY



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27 JUNE 1979

REGULAR MEETING

Minutes  
The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, June 27, 1979 at 1730 hours in regular session.

PRESENT: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

Commissioner Siggins presiding.

OCT 19 1979

DOCUMENTS DEPT.  
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PRESENTATION OF MEDAL OF VALOR AWARDS AND CERTIFICATES

Commissioner Siggins: "Commissioner Burl Toler chaired the last Awards Committee and may I turn the meeting over to him for a few minutes, not more than 20 minutes please, Commissioner."

Commissioner Toler: "Thank you Mr. President. On behalf of the Commission I would like to take this opportunity to congratulate the officers who are to receive the Medal of Valor Awards this evening for their outstanding police work. These officers carried out their duties and responsibilities on a highly technical and professional level for which we of this city commend you and thank you for the job you done, and the job that you will continue to do. We salute you and applaud you this evening. I would be remiss if I did not also congratulate the families and loved ones of these fine officers, and also the captains who have singled out these officers for a job well done. Will my fellow Commissioners assist me in presenting these Awards?"

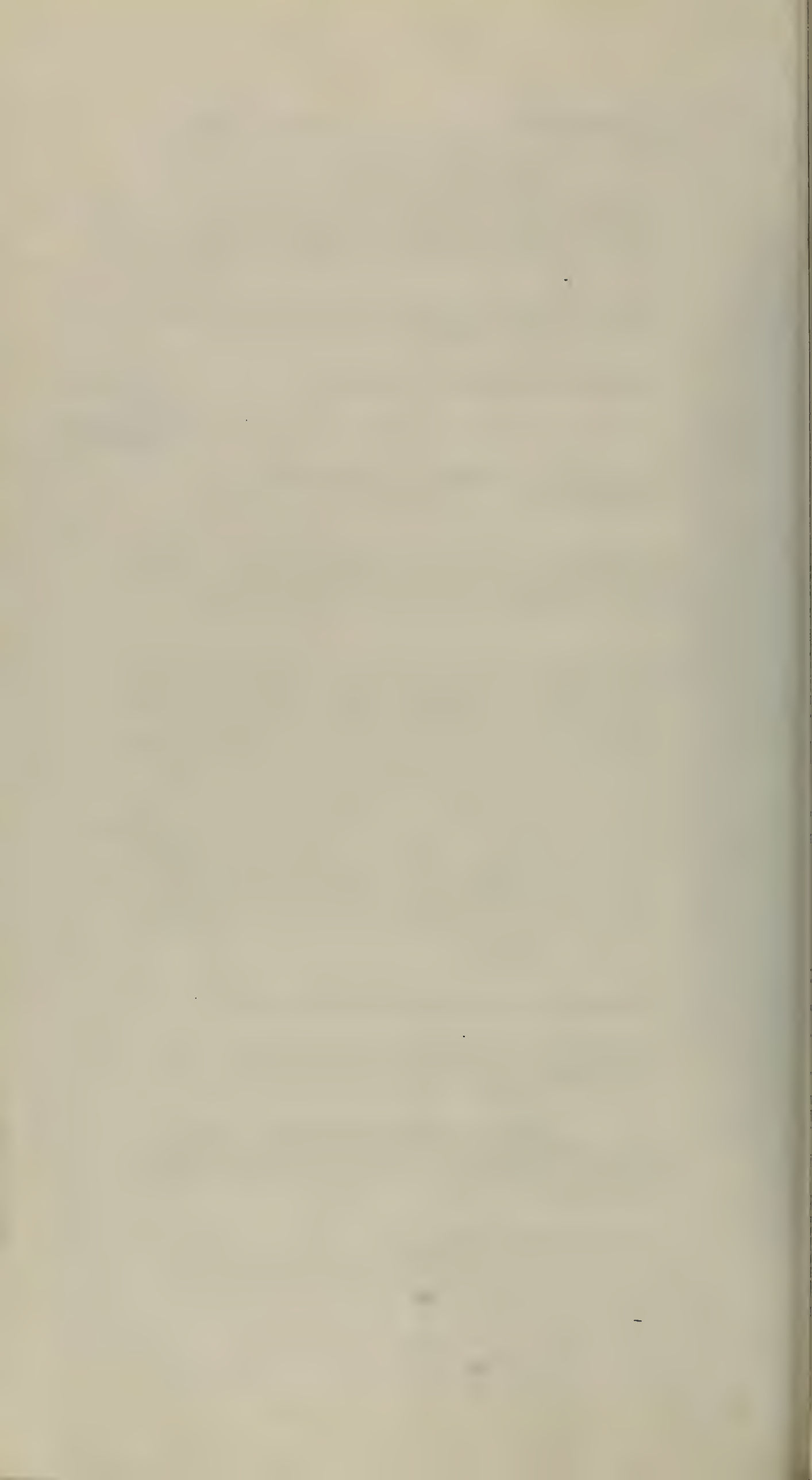
The Awards were then presented as follows:

PRESENTATIONS OF THE MEDAL OF VALOR AWARDS AND CERTIFICATES

The following-named members of the Police Department were presented Medal of Valor Awards and Certificates at the Commission Meeting by Commissioner Toler:

Captain Robert E. Mattox  
(retired).....Silver Star





Sergeant Frank G. Kerlin.....Silver Star  
Sergeant Jesus M. Torres.....Silver Medal  
Police Officer Allan C. Duncan.....Silver Medal  
Police Officer Judith M. Hardiman..Silver Medal and  
Bronze Medal  
Police Officer Jacklyn M. Jehl.....Silver Medal  
Police Officer Ronald P. Kern.....Silver Star  
Police Officer William D. Langlois..Silver Star and  
Bronze Medal  
Police Officer Paul J. Maniscalco..Silver Medal  
Police Officer John S. Probst.....Silver Medal  
Police Officer Andrew E.  
Stoepelwerth....Silver Medal  
Police Officer Timothy J. Connell..Bronze Medal  
Police Officer Peter (nmi) Gamino..Bronze Medal  
Police Officer Ross E. Laflin.....Bronze Star  
Police Officer Gary D. Manini.....Bronze Medal  
Police Officer Robert J. Puts.....Bronze Star  
Police Officer Philip C. Toland....Bronze Medal

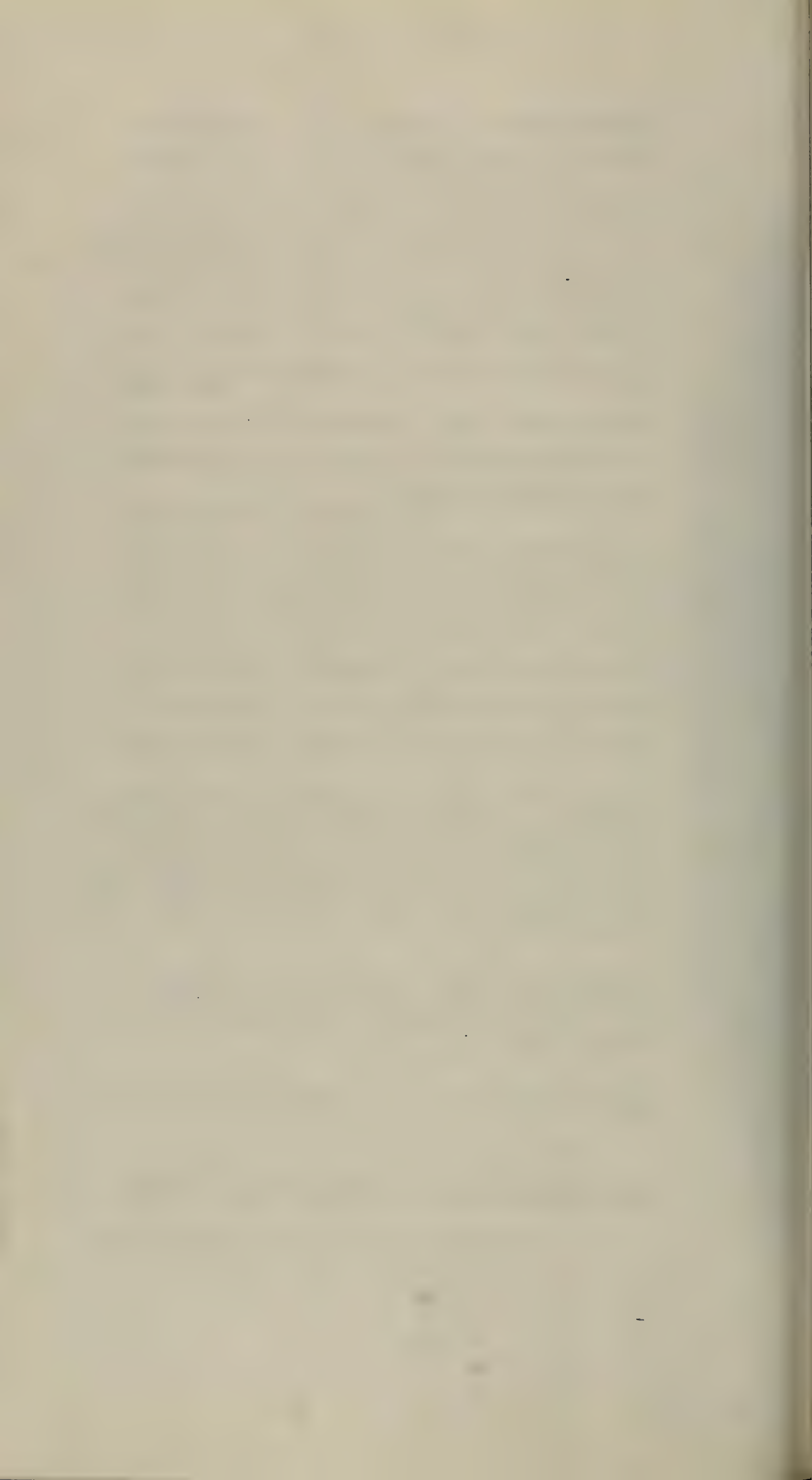
Commissioner Siggins: "On behalf of the entire Commission tonight I congratulate all of the Award winners and thank Commissioner Toler for meeting with the Civil Service Captains and evaluating the objectives, and the risks, and the degree of danger, and then voting on these awards a few weeks ago. Thank you very much Commissioner Toler. Commissioner Ciani?"

Commissioner Ciani: "We always make the point that the money that goes along with the Awards is, in a view of the majority of the Commission, community property."

Commissioner Siggins: "The checks will be in the mail."

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the



Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

2000 GREENWICH STREET - APARTMENT BUILDING -DENIED

- a) At 2000 Greenwich Street, install a 14' white zone, extending from a point 15' west of east property line to a point 29' west of east property line. DENIED.

2545 NORIEGA - THREE STAR BRAND RICE COMPANY

- a) At 2545 Noriega, install a 90' green zone, extending from the east property line to a point 90' west of same.

584 VALLEJO STREET - NEW CHINATOWN PLUMBING AND HARDWARE

- a) At 584 Vallejo Street, install a 22' yellow zone, extending from west side of driveway at 584 Vallejo Street 22' west of same.

745 O'FARRELL STREET - GRIFFIN CLEANERS

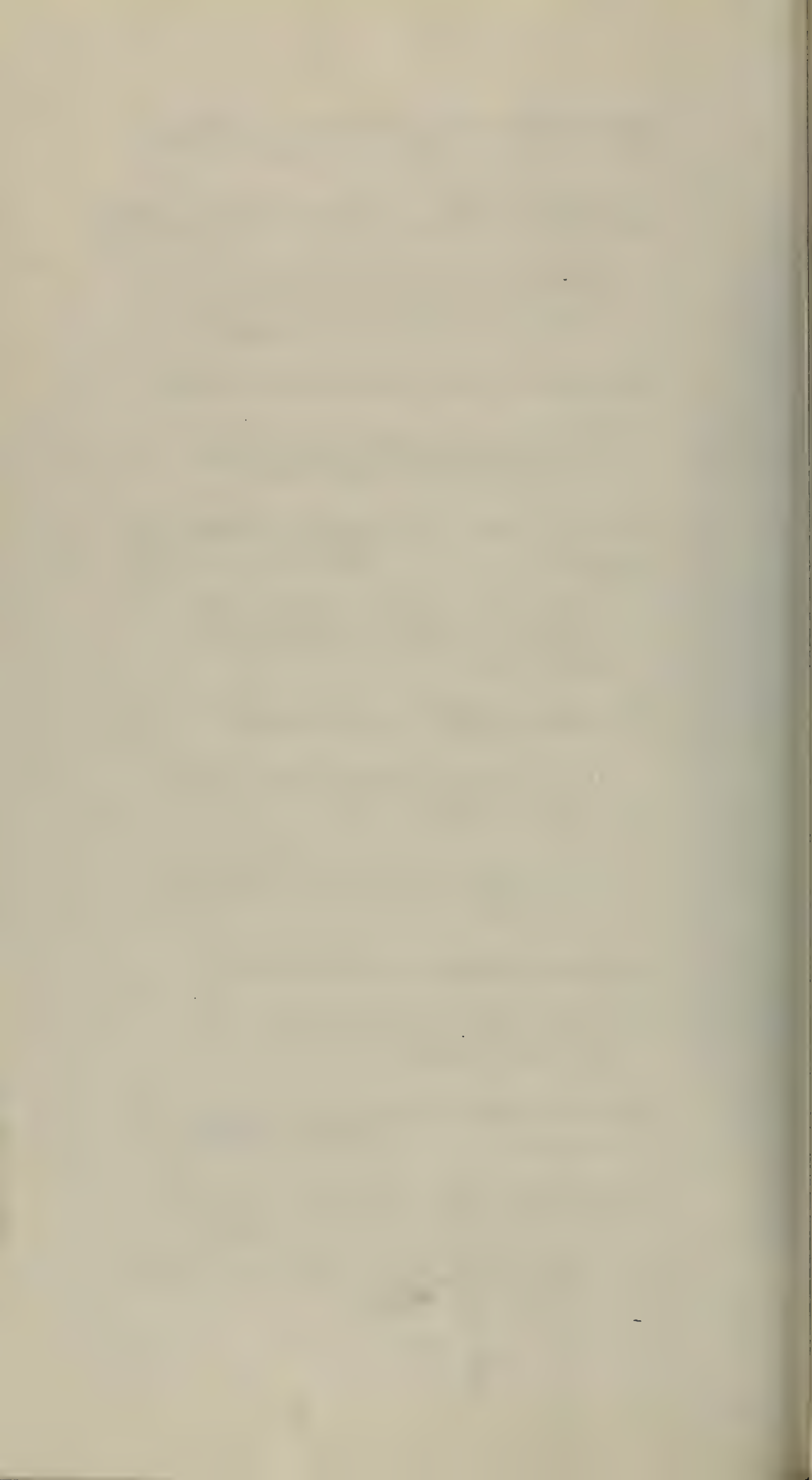
- a) At 745 O'Farrell Street, revoke existing 21' green zone, extending east of west line of building.
- b) At 745 O'Farrell Street, install a 21' yellow zone, extending east of west line of building.

500 PRESIDIO AVENUE - MR. SUBMARINE INC.

- a) At 500 Presidio Avenue, install a 22' yellow zone, extending 22' south of California Street.

590 VALLEJO STREET - NEW CHINATOWN PLUMBING AND HARDWARE - DENIED

- a) At 590 Vallejo Street, revoke existing 22' yellow zone, extending from 5' to 27' east of west building line. DENIED.
- b) At 590 Vallejo Street, install a 22' green zone, extending from 5' to 27' east of west building line. DENIED.



345 CHURCH STREET - S.F.P.D.

- a) At 345 Church Street, revoke existing 19' yellow zone, extending 19' south of north building line.

900 BUSH STREET - S.F.P.D.

- a) At 900 Bush Street, revoke existing 22' yellow zone, extending from 6' to 28' west of Taylor Street.

3536 TARAVAL STREET - CONGREGATION B'NE EMUNAH

- a) At 3536 Taraval Street, revoke existing 21' white zone, extending west of east property line.

3597 TARAVAL STREET - OLYMPIC SPORTS ACADEMY

- a) At 3597 Taraval Street, revoke existing 50' white zone, extending from 38' to 88' east of 46th Avenue.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 133 feet of white, green and yellow zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

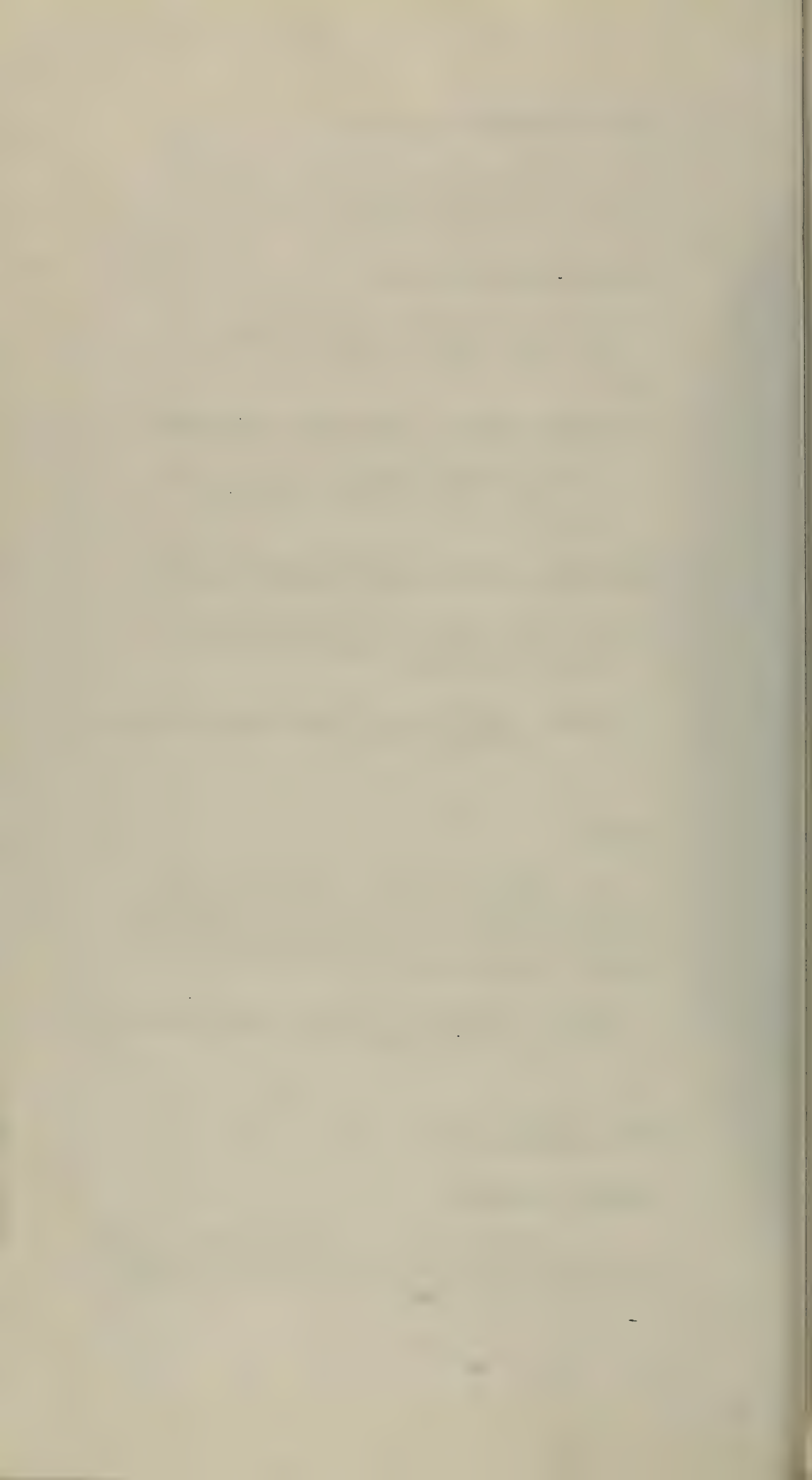
AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 414-79

WATSON L. MARQUARDT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Watson L. Marquardt against the City and County of San





Francisco in the sum of \$25.50 in Small Claims Action No. 360-083, as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 27, 1978

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 415-79

CALIFORNIA STATE AUTOMOBILE ASSOCIATION

RESOLVED, that the recommendation of the City Attorney for settlement of the California State Automobile Association against the City and County of San Francisco in the sum of \$373.39 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: December 22, 1978

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 416-79

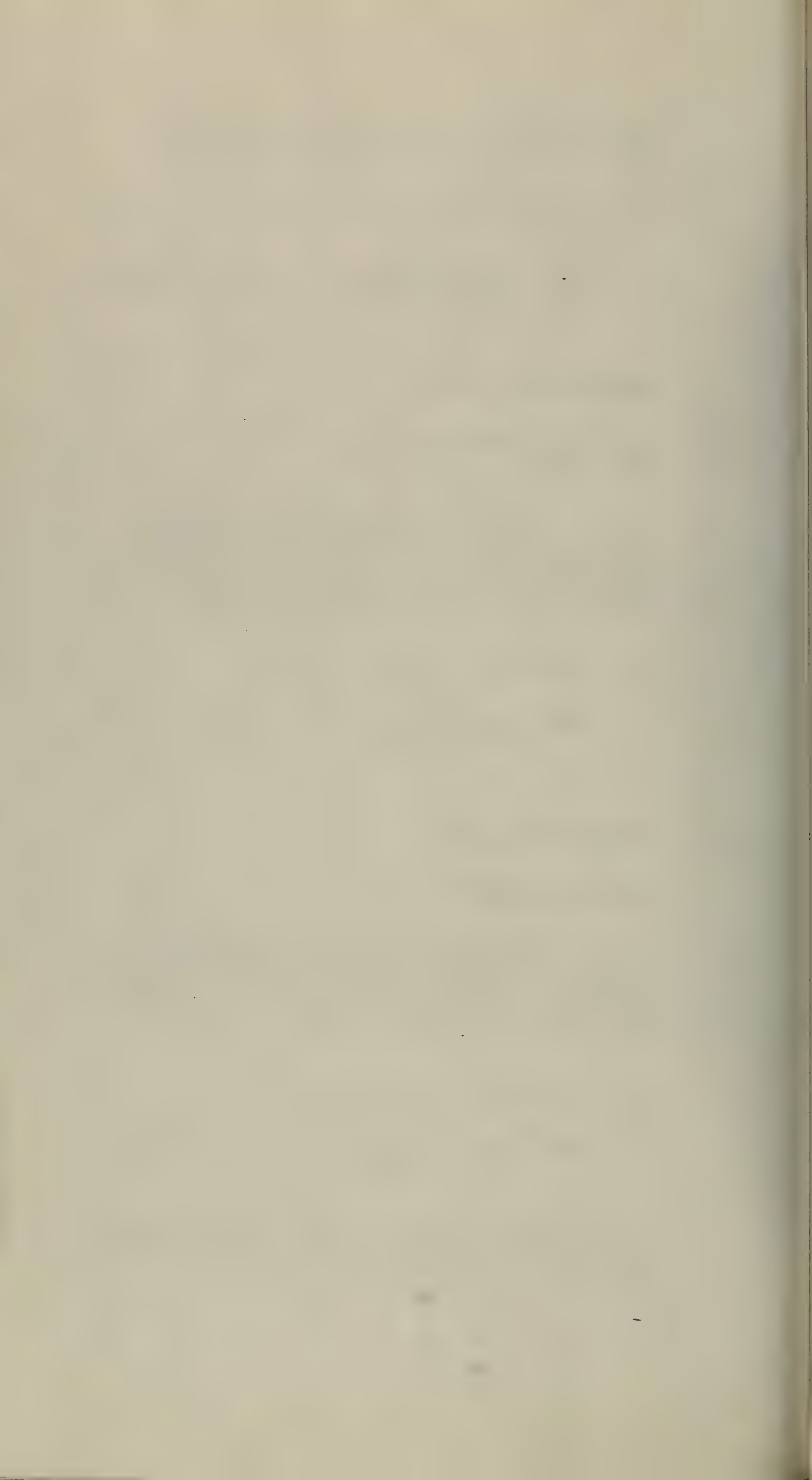
MICHAEL S. GABBAY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Michael S. Gabbay against the City and County of San Francisco in the sum of \$26.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 19, 1979

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

PUBLIC HEARING ON APPLICATIONS TO DETERMINE PUBLIC CONVENIENCE AND NECESSITY FOR THE ISSUANCE OF VEHICLE



FOR HIRE PERMITS. (CONTINUED FROM THE MEETING OF  
JUNE 13, 1979)

Commissioner Siggins: In regard to the hearings on the Cab Permits Mr. Costello contacted me yesterday and wanted to...had presented to us a memo, a supplemental memorandum that was distributed to us, I think, last Friday and it was critical of the Police Department's analysis, and then I contacted Mr Byrne in that regard and he hadn't even seen the memorandum, is that correct? He received it today. I told you that I would be asking you certain questions about the criticism that was pointed out in this memorandum and then I thought that we would put the matter over for two weeks so at least you would have some time to prepare a response to it. Commissioner Murphy has some questions."

Commissioner Murphy: "Yes, I have some questions. I have read it carefully and I have one or two items I would like to point out so that whatever additional work you do, that you will take those into consideration.

One point was made on page three, 4th paragraph: It says, 'A careful review of the police department's survey shows clearly that virtually all of the report was investigated and prepared prior to May 14th, 79, the day of the first hearing.' I don't think that is real criticism. We want to know what is going on, whether before the hearing, or after the hearing. I don't think that makes any difference, we want to know what is happening in the cab industry, in the service they are giving the people of San Francisco so the date is immaterial.

I do have some other things that I would like to point out, and that is it does seem to me that the report treated somewhat lightly the problems at Park Merced, Stonestown and possibly in the Taraval.

It was a little cavalierly handled.

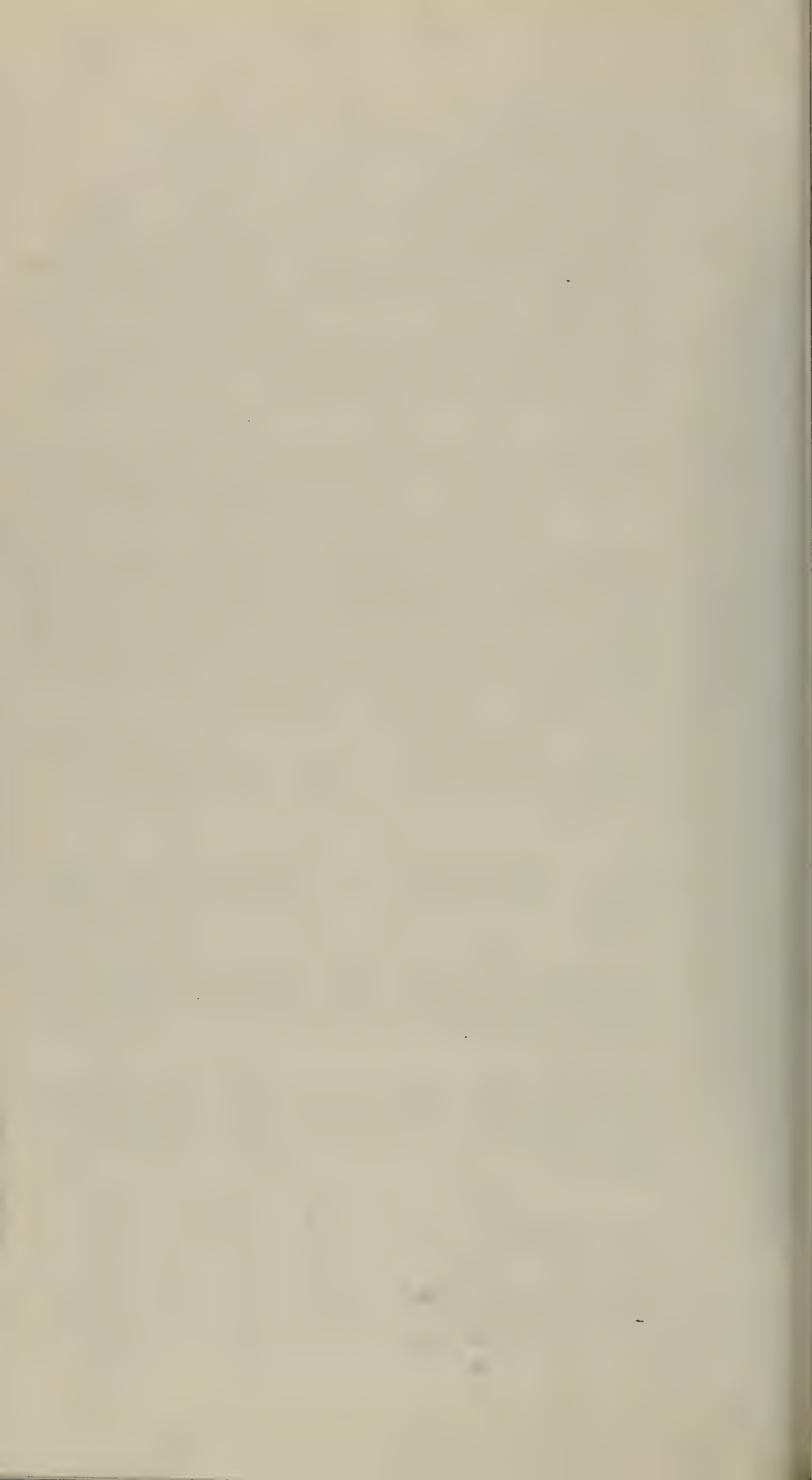
We should know more about the service. Not just how one or two people who were called felt. They had sort of an off the cuff idea of what maybe was happening.

I think we should go into more detail. I do think that on the points that were made, I mean the places that were investigated that is from A to N, then H and I, certainly, and J were the ones that were considered.

I might want to point out however a survey was made of the Western Addition, OMI, Visitacion Valley and Hunters Point Area. So you really have 4 places in that one item that should be looked at again, more in depth. Are the outlying neighborhoods, in fact, being served?

I don't think those outlying neighborhoods could possibly be served by any cab that doesn't have radio service."

Commissioner Siggins: "Anything else? Well, I don't like the idea of putting this on as an agenda item and then putting it over, but we have heard the testimony and the point now is some response from the Department



and we won't be taking any more public testimony. So you (Mr. Byrne) give us a response by at least the Friday before the next time it comes up on the agenda which will be on the 11th."

Robert Byrne: "President Siggins, am I correct that you are directing the Department to respond to each of the several points or just the....."

Commissioner Siggins: "No, no you can respond in the way that you want. Commissioner Murphy asked you certain particular questions but...."

Commissioner Murphy: "These are questions brought up largely by Mr. Costello's rebuttal memorandum."

I might say on page 5, paragraphs one, two, three, four, five. The fifth paragraph particularly, I think, gave me the impression that this was done in a rather cavalier manner."

Commissioner Siggins: "Yes, but don't forget an advocate for a certain position composed the brief."

Commissioner Murphy: "I understand."

Robert Byrne: "I can assure you Commissioner, it was not done in a cavalier manner. The Permit Bureau and the Taxi Cab Detail spent many, many hours putting this survey together."

Commissioner Murphy: "They did, well then your answer to this will be satisfactory I am sure."

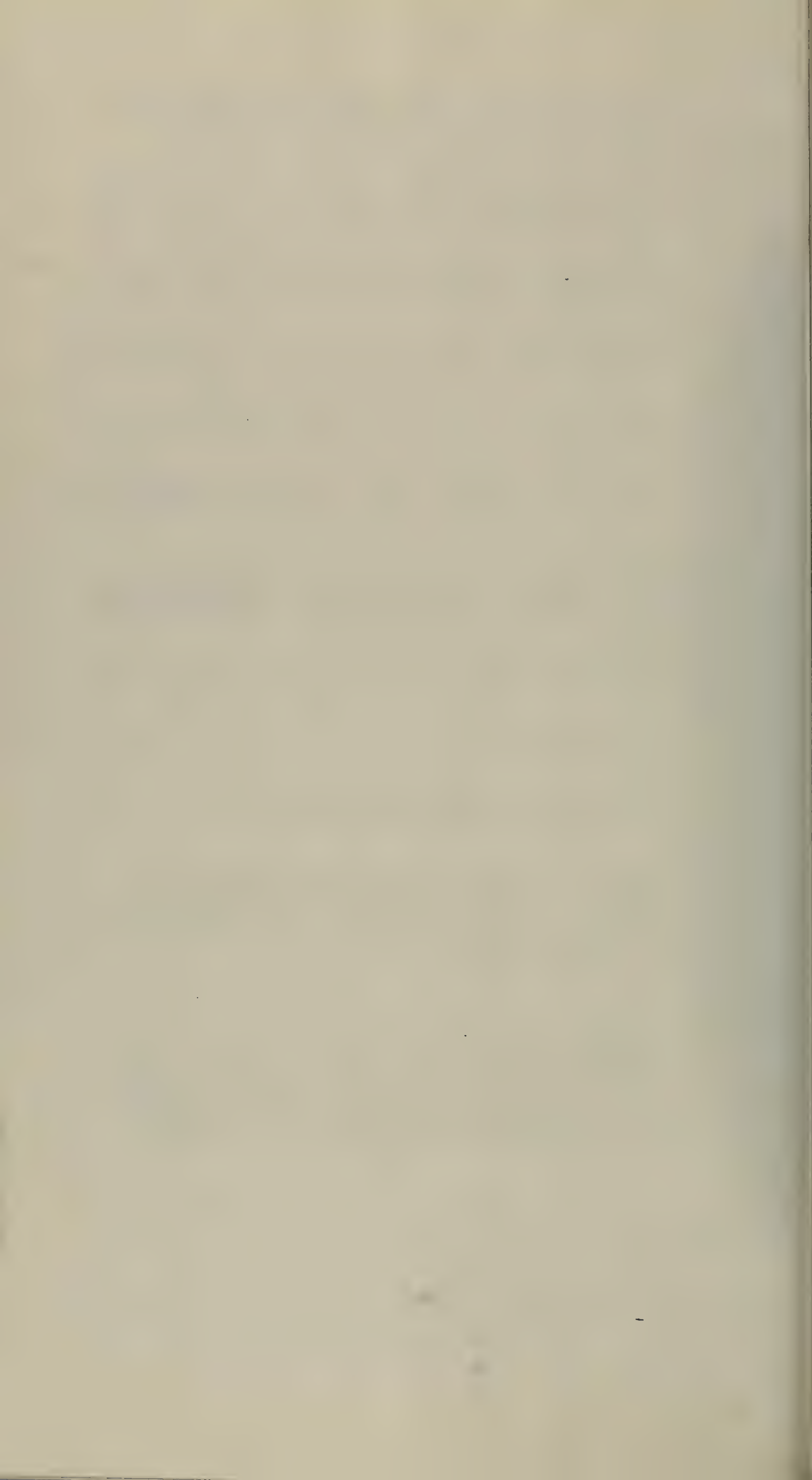
Commissioner Siggins: "Okay, we will put this over to July 11th."

Commissioner Siggins: "Does someone want to speak to the four (4) million dollar item?"

Chief Gain: "Yes, Commissioners with your permission Lieutenant Mike Lennon will speak to that. We also have a companion added item, I think you have that in front of you, for five (5) million two (2) hundred thousand dollars."

Lieutenant Mike Lennon: "The first item 4 million 100 thousand dollars is the result of the attempted settlement by the City to pay retroactive salaries. The city has decided they will offer the employees a retroactive salary of 9.25% for uniform officers and some portion of that for civilian employees."





It's different for the different classes. This represents the city's cost involving the police department employees that seven month raise. These checks will be drawn up and the employees at that time will decide whether they wish to take them or not, but this is what it's going to cost the police department to give retroactive salaries, and overtime, and holidays, and anything worked since last December 1st."

Commissioner Sanchez: "Or, so that goes from December 1 up to June 30th of this fiscal year so we are not talking about what happens from July 1st?"

Lieutenant Mike Lennon: "No, that would be a subject of the next budget. This is money that was not anticipated as being needed this year and that's why it is not in the budget. The City has now made what they consider a settlement with the employees so we have to get this extra money."

Commissioner Sanchez: "Alright, thank you."

Commissioner Murphy: "This item says 5 million 216 thousand."

Lieutenant Mike Lennon: "That's the second item."

Commissioner Ciani: "Is this a 9.25% pay increase?"

Lieutenant Mike Lennon: "That is correct. For uniformed officers from last December 1, through June 30th."

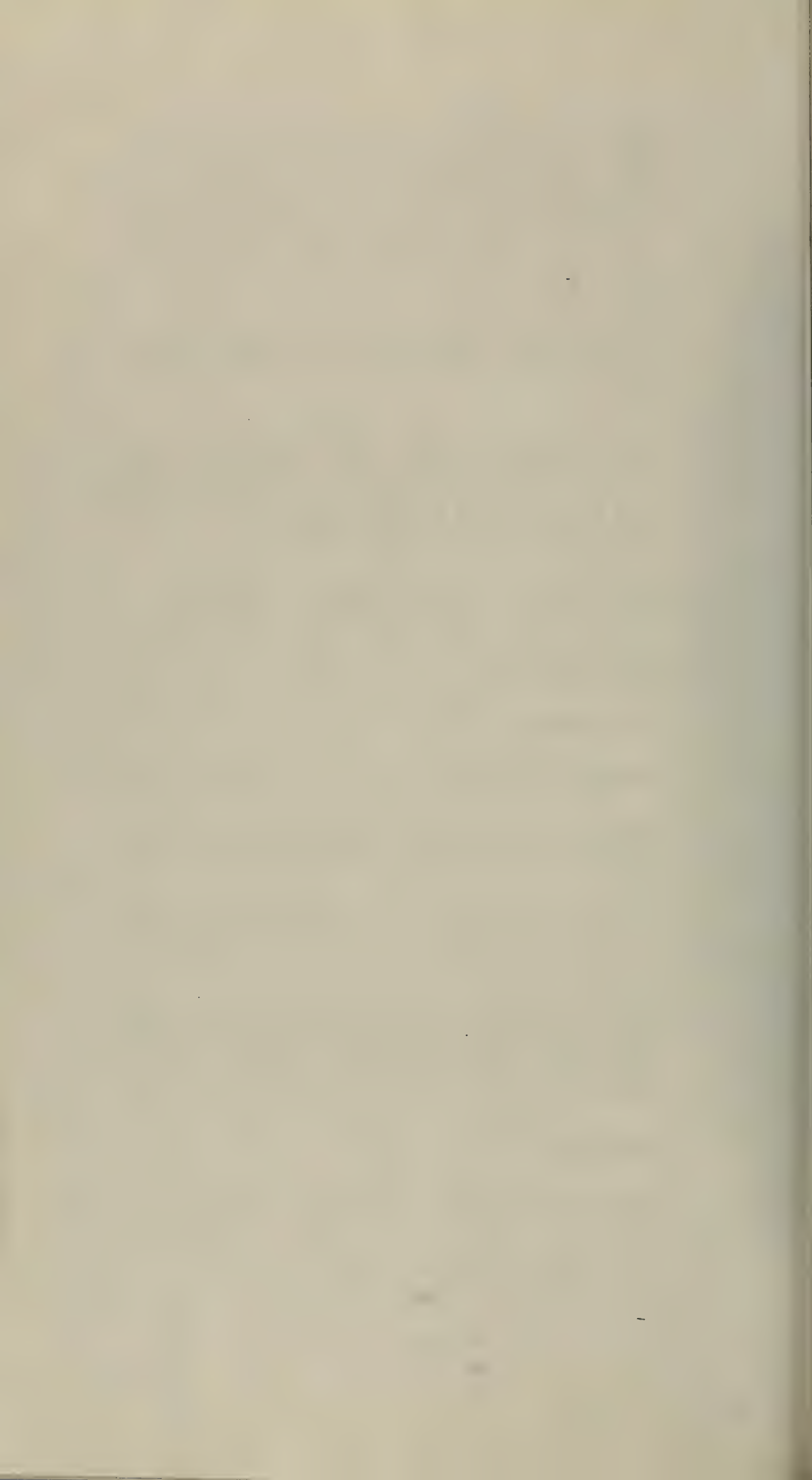
Commissioner Ciani: "I see. How does that relate to the President's voluntary wage guidelines?"

Lieutenant Mike Lennon: "Are you asking me personally? I don't know since they haven't received a raise in 4 years, it probably averages out at 3% a year. This is the first raise officers have received since 1974, so maybe an allowance is being made for that."

Commissioner Ciani: "I see."

Commissioner Murphy: "I move the approval."

Commissioner Sanchez: "Second."



Commissioner Siggins: "Okay, are we talking about both items here or the remainder of the Consent Calendar? There is another added item to the Consent Calendar which would be a transfer of \$20,000 dollars from the available funds to contractual services to support the Police Commission Investigation of May 21, 1979, disorder."

Lieutenant Mike Lennon: "Okay, those were figures that were developed by the Fiscal Section as to the expense in a 60 day hiring of specific personnel."

Commissioner Siggins: "Fine, okay."

Commissioner Murphy: "I include that in my motion."

Commissioner Sanchez: "Okay, I second it."

Commissioner Siggins: "Okay, seconded by Commissioner Sanchez, all in favor?"

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 413-79

REQUEST FOR SUPPLEMENTAL APPROPRIATION FOR PAYMENT OF RETROACTIVE SALARIES.

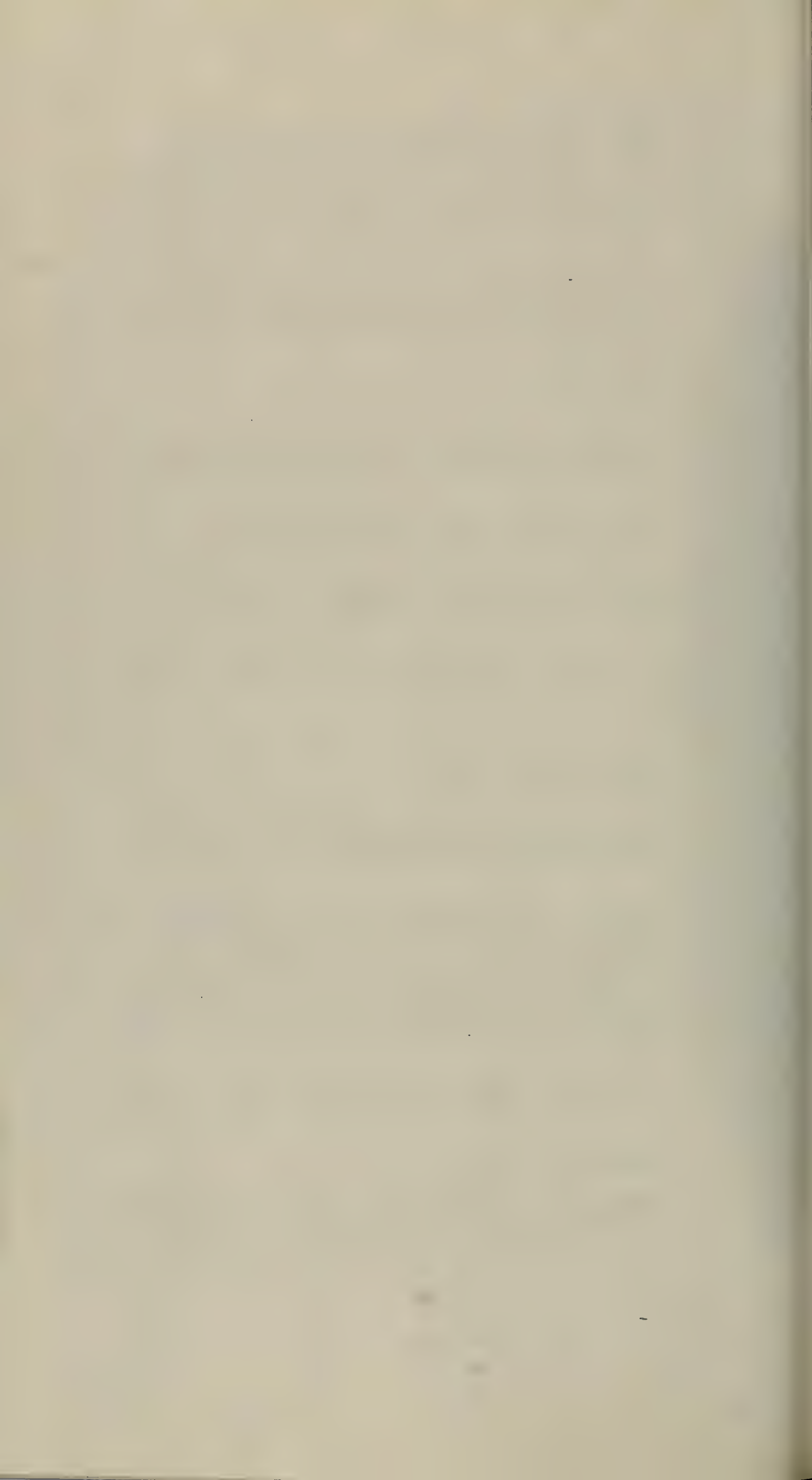
RESOLVED, that the Police Commission approves the request for a Supplemental Appropriation to provide funds for the payment of retroactive salaries for all employees for the period December 1, 1978, through June 30, 1979, in compliance with Controller's Departmental Instruction No. 820 and pursuant to the provisions of the Mayor's Emergency Proclamation.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 419-79

REQUEST FOR A SUPPLEMENTAL APPROPRIATION TO REFLECT INCREASED MANDATORY PRINCE BENEFITS FOR FY 1979-80

RESOLVED, that the Police Commission approves



the request for a Supplemental Appropriation which will increase Mandatory Fringe Benefits for the 1979-80 Fiscal Year in the amount of \$5,216,046.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 442-79

REQUEST FOR TRANSFER OF FUNDS

RESOLVED, that the Police Commission hereby approves the transfer of \$26,600 from available fund to contractual services to support the Police Commission Investigation of the disorder of May 21, 1979.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

RESOLUTION NO. 417-79

REQUEST FOR SUPPLEMENTAL APPROPRIATION TO REFLECT  
THE ESTABLISHMENT OF FLEXIBLE STAFFING FOR ASSISTANT  
INSPECTOR AND INSPECTOR POSITIONS.

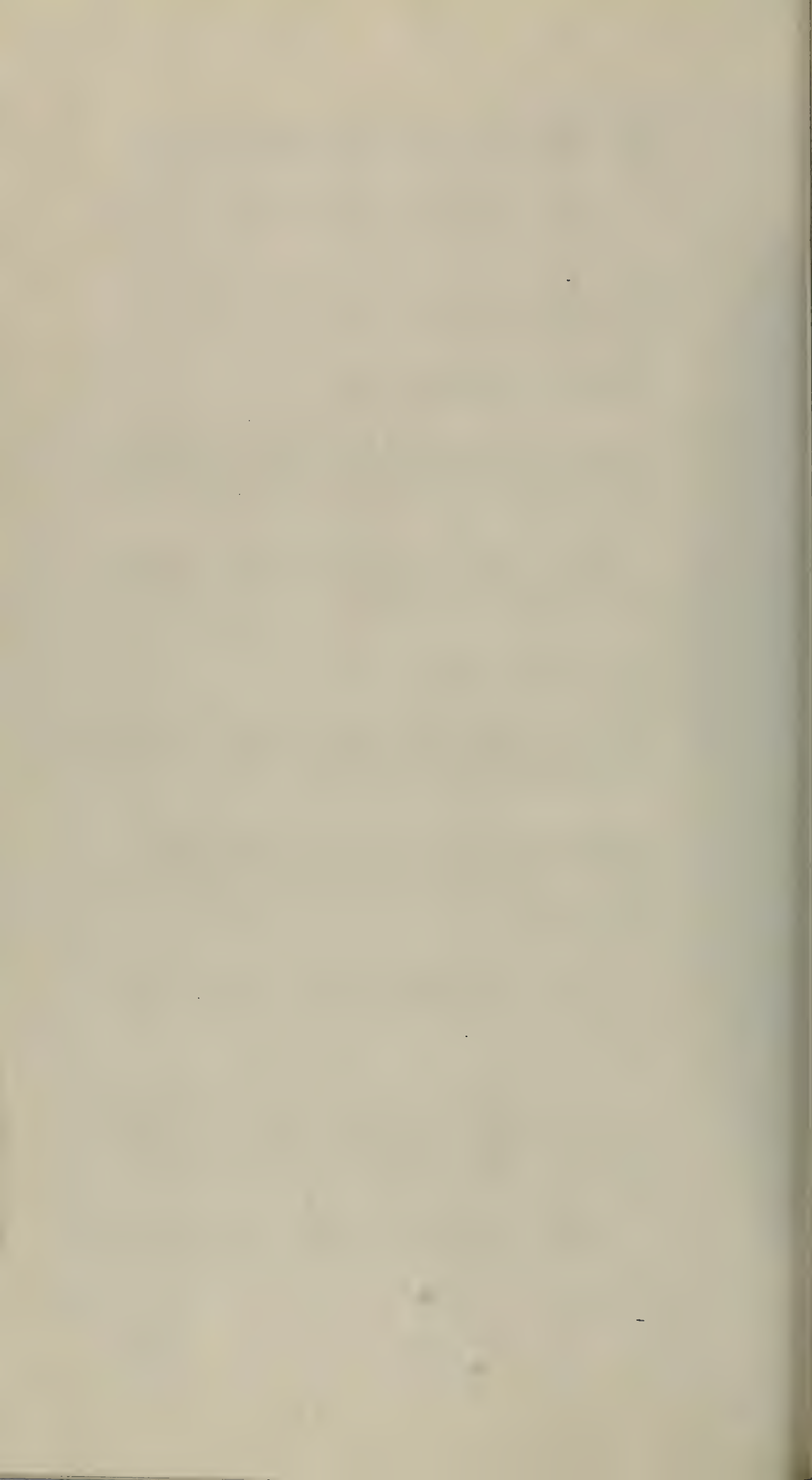
RESOLVED, that the Police Commission approves the request for a supplemental appropriation which will provide the department with the capability for flexible staffing for Assistant Inspector and Inspector positions through the 1979-80 fiscal year.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins

The members of the Commission, having received, amended and returned copies of the minutes of the meetings of May 16, 1979, May 23, 1979 and May 30, 1979, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Murphy, Sanchez,  
Toler, Siggins





CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "No report Mr. President, members of the Commission."

Commissioner Siggins: "Any questions of the Chief? Chief, I wholly support your actions in regard to any stickers that are on bumper strips or that are on any kind of police equipment."

Chief Gain: "Thank you."

Commissioner Ciani: "We have before us a proposal for Charter Revision. Is that something we are going to discuss this evening?"

Chief Gain: "I would suggest Commissioners, I gave that to you under the Chief's Report as informational, if you have time to go over it perhaps we could discuss it next week. And if you would, if any Commissioner would like to discuss it with me then we could discuss it with Staff as to additional items you want to put in or rewording of the suggested items here."

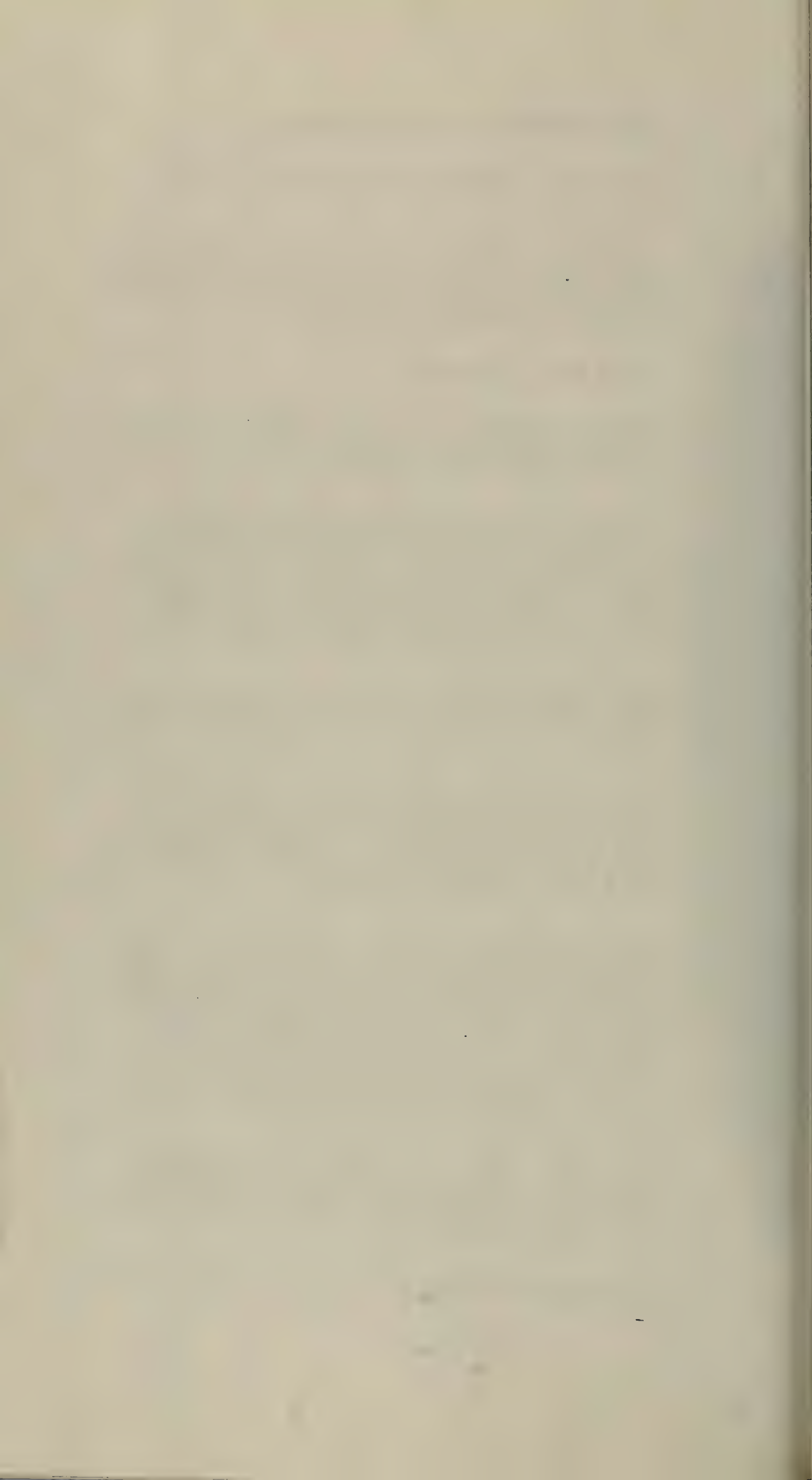
Commissioner Murphy: "When is this due Chief to the Charter Commission? Are there any time limits on it?"

Chief Gain: "They asked for it at some previous date and they extended that so I think that it is recognized that the Commission has a great many matters to entertain. I think if we could set a target date within the next two weeks to get it to them we should be alright."

Commissioner Murphy: "Well I would like to ask a question about it because I did read it rather carefully and the one item that I had a good deal of concern about isn't really treated, and that is the last item of the report entitled, 'Retirement System for Officers and Employees, repeal and re-write.' Now does this include the definition of sick pay, and disabled paid, and especially under what circumstances, etc? I don't know the Charter that intimately."

Chief Gain: "Off hand I don't know Commissioner, that's why we give it to you in this form and we can talk individually and I can have Staff persons answer the whole thing."

Commissioner Murphy: "Alright, who can we talk to about this?"



Chief Gain: "Lieutenant Trueb."

Commissioner Murphy: "Lieutenant Trueb, okay I will call him."

Commissioner Siggins: "We do notice that any proposal or amendment to the Charter does not change the rule of this city that the Police Commission shall hire the Chief of Police and that no employee organization has that power."

Chief Gain: "I am not recommending that type of a change."

Commissioner Ciani: "On the subject of the appropriation for contractual services, could somebody look into the legal question whether it's appropriate for us to apply these funds in this way to carry forward past June 30th. Is there any legal question about that?"

Chief Gain: "That's already resolved. Do you want to speak to that Lieutenant Lennon?"

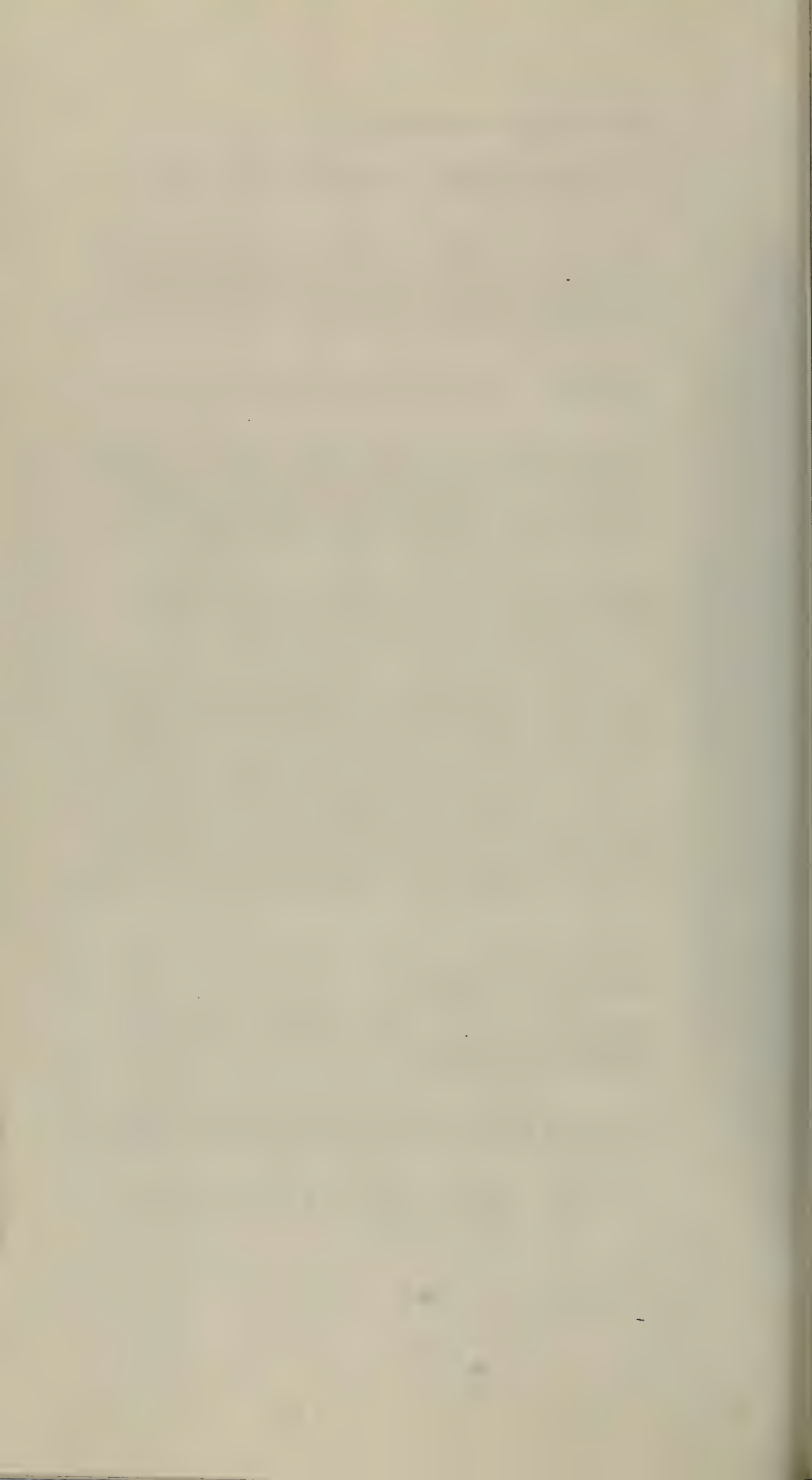
Lieutenant Lennon: "At the end of the fiscal year if there are programs which the Department has in mind or purchases which the Department has made an attempt to secure and the funds have not actually been spent we do apply to the Controller to hold those funds in reserve past July 1 until the program is complete and these are normally routine matters. So if the program was initiated with a set dollar amount and that dollar amount would not be expended totally by July 1, we would go through this motion with the Controller to set aside those funds giving a date of termination, or a tentative date of termination."

RESOLUTION NO. 411-79

RECEIPT OF PROPOSED GENERAL ORDER ON WEAPONS AND PROTECTIVE EQUIPMENT

RESOLVED, that the Police Commission hereby adopts the proposed General Order regarding Weapons and Protective Equipment Inspections.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins



RECEIPT OF PROPOSED GENERAL ORDER WHICH SETS  
FORTH THE OPERATING PROCEDURES FOR THE EXPLOSIVE  
ORDNANCE DISPOSAL UNIT OF THE CRIME SPECIFIC DIV-  
ISION (COPIES SENT TO EMPLOYEE ORGANIZATIONS) -  
NOTIFICATION OF DISTRIBUTION.

HEARING OF POLICE OFFICER EDDY L. CASTIGLIONI,  
PERSONNEL AND TRAINING.

Commissioner Siggins: "Sergeant Hebel this trial  
is not going to go until some time in August."

Sergeant Hebel: "That's correct."

Commissioner Siggins: "Do you think it will go  
then?"

Sergeant Hebel: "What I would like to see is if we  
can set a calendar date in September for purposes  
of setting a trial date. I think the trial in Marin  
County is going to go about a week, and if there is  
a decision by the jury, there may be additional delay  
for sentencing, if that's appropriate."

Commissioner Siggins: "Are you going to try that  
case?"

Sergeant Hebel: "No, I am not."

Commissioner Siggins: "What's the Department's  
feeling about this?"

Robert Byrne: "Well, I can state our position in  
general as has been stated before, I realize the  
Commission's policy is to continue....."

Commissioner Siggins: "I am not sure we have a  
policy if it has been there is no need to continue  
it if we are on the wrong course. I know this parti-  
cular individual is off on some kind of a disability.  
Is it time for him to come back to work?"

Sergeant Hebel: "No he is suspended. The depart-  
ment has granted him a leave of absence without pay."

Commissioner Siggins: "I don't find any problem  
with that then."





Robert Byrne: "I don't feel we will be prejudiced at all by continuing it."

Commissioner Siggins: "Fine, okay, but as I say I think we can take a look at these cases on their own individual basis and not set any particular policy in that regard. Pick your date in September if you want, for setting, but let's let it be understood that we will be setting it with plans to get it moved along right after that."

Sergeant Hebel: "That's my understanding. Commissioners on another matter that is not on the calendar that I thought was going to be on the calendar, is the matter of Bruce Bushner which has been set for July 11th. It was my understanding the last time I was here on that matter the Commission was going to hear arguments on pertaining to a petition for continuance that I had submitted to the Commission regarding a petition for Writ of Mandate which is going to be heard in Superior Court on the 6th of July."

Commissioner Siggins: "Yes, I saw your letter here."

Sergeant Hebel: "Well, what is reflected in the minutes that I received from Sergeant Frazier and my understanding was that you had directed myself and Mr. Wilson to come before the Commission today to determine whether or not you were going to continue it or whether, in fact, it was going to be set to go on July 11th."

Commissioner Siggins: "You sent a letter in the case of Roccaforte, or something, and Mr. Wilson hadn't had a chance to review it, I think."

Mr. Wilson: "Did the Commission get my letter or response?"

Commissioner Siggins: "I don't think so."

Lieutenant Frazier: "It is in the binders under the Chief's Report."

Mr. Wilson: "I sent a copy to Sergeant Hebel and didn't ask him if he had sent....."

Commissioner Siggins: "Well that's a bad habit Mr. Wilson. The Legal Department writes a letter to the Commission regarding some members of the Department that's represented by council without giving them a copy of the letter."



Commissioner Murphy: "Well can this be heard July 11th?"

Commissioner Siggins: "I think it should be heard July 11th but...."

Sergeant Hebel: "Well, I didn't make a presentation before the Commission the last time I was here, and again I would request that this be put over until at such time as the matter has been disposed of in the Superior Court. I realize that Roccaforte isn't on an all fours, so to speak, I think it is close enough that it parallels there and I think what will really parallel is if the Superior Court determines that his emotional distress is, in fact, an occupational injury, I think that's the difference in what Mr. Wilson is alluding to."

Commissioner Siggins: "Well you are using the Superior Court to be an Appellate Body from the Retirement Board, is that right? So we have a ruling from the Retirement Board now and we have our own responsibilities. I think we should have the Hearing on July 11th."

Sergeant Hebel: "Well, I present this by way of petition to get a ruling from the Commission as to whether or not, if in fact, based on Roccaforte, whether or not this matter would go over until at such time it has been disposed of in the Superior Court or whether the Commission will want to hear it on July 11th."

Commissioner Ciani: "It sounded to me as if the Chair just made a ruling on it."

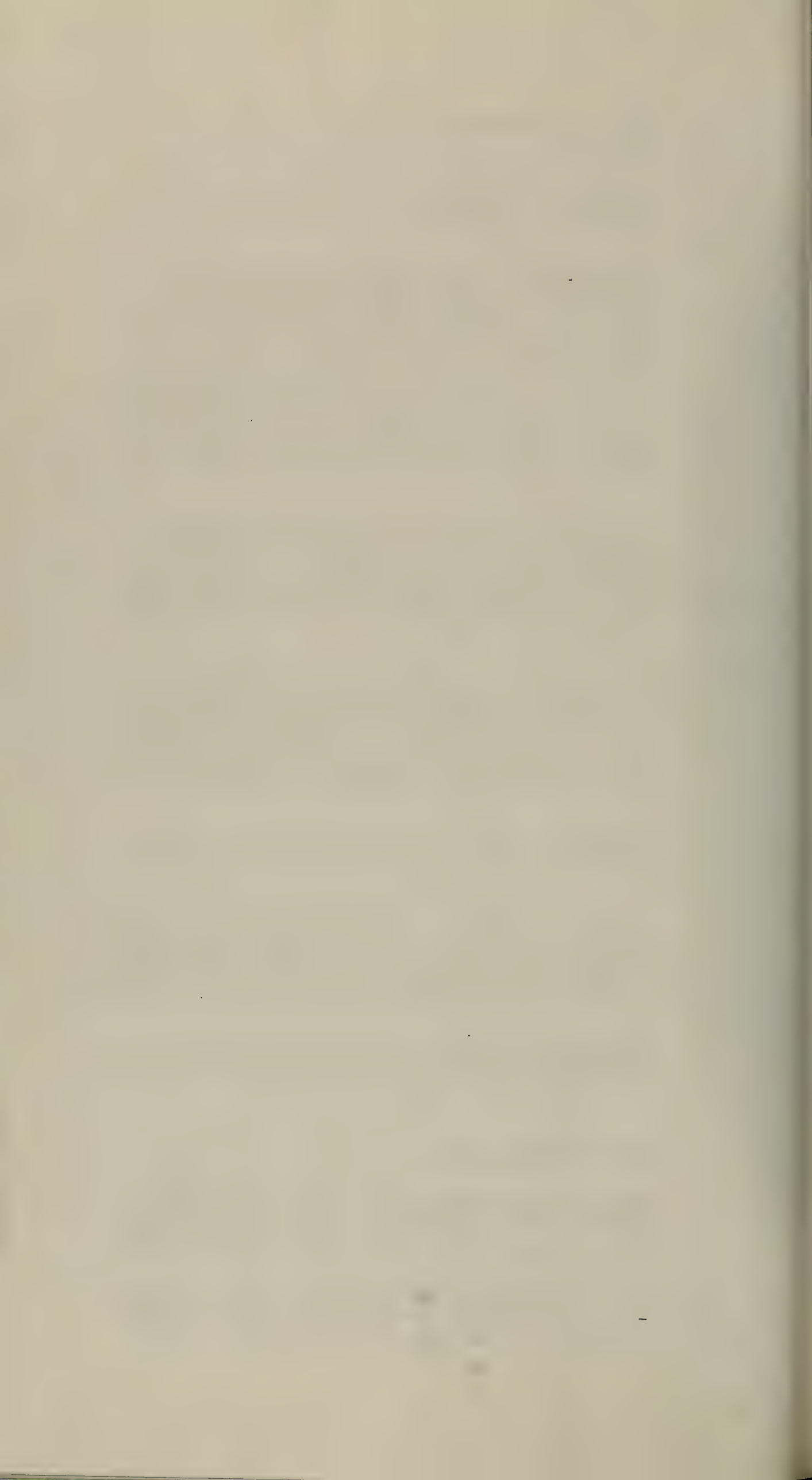
Commissioner Siggins: "I would rule that it would be July 11th, absent some objection from the remainder of the Commission. (To Lieutenant Frazier) You have already planned it to be on the calendar for July 11th anyway, haven't you?"

Lieutenant Frazier: "Yes sir, correspondence to that effect has already been mailed."

RESOLUTION NO. 412-79

SETTING OF THE DATE FOR THE HEARING OF POLICE OFFICER EDDY L. CASTIGLIONI, PERSONNEL AND TRAINING.

WHEREAS, the hearing of Police Officer Eddy L. Castiglioni, Personnel and Training, was called, it having been set for this date; and



WHEREAS, Mr. Michael Hebel, Attorney at Law, who is representing Police Officer Castiglioni, has requested that a date for the setting of the hearing be set after the criminal proceedings have been disposed of in this matter; therefore be it

RESOLVED, that the date for the setting of the hearing of disciplinary charges filed against Police Officer Eddy L. Castiglioni, is Wednesday, September 5, 1979, at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

CONTINUATION OF THE HEARING OF POLICE OFFICER  
KATHERINE ANDERSON, PARK POLICE STATION

The matter of the hearing of Police Officer Katherine Anderson, Park Police Station, was called, it having been continued from the meeting of June 20, 1979.

Police Officer Katherine Anderson appeared in person and was represented by Ms. Alice Beasley, Attorney at Law.

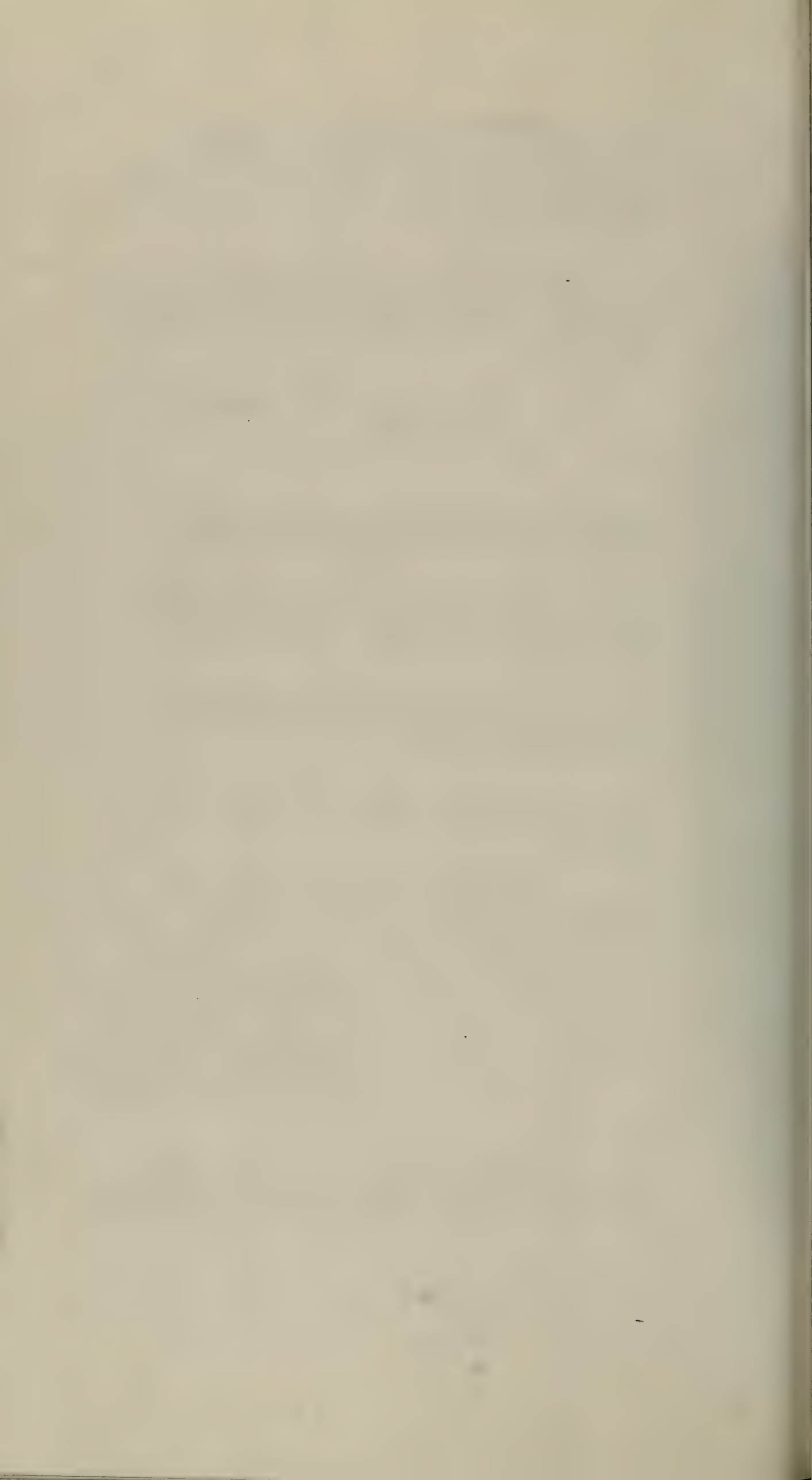
Mr. Robert Byrne, Attorney at Law, appeared as the Prosecutor for the Police Department.

The following-named witnesses were called by the Defense, sworn and testified:

Exhibit No. 4 - Intra-departmental memorandum dated January 2, 1979, addressed to Captain Ford Long, Commanding Officer, Park Station, from Police Officer Katherine Anderson, entitled "New Year's Eve Detail."

After listening to testimony from the above parties, the Commission then adjourned at 1903 hours, and the matter was continued to Monday,





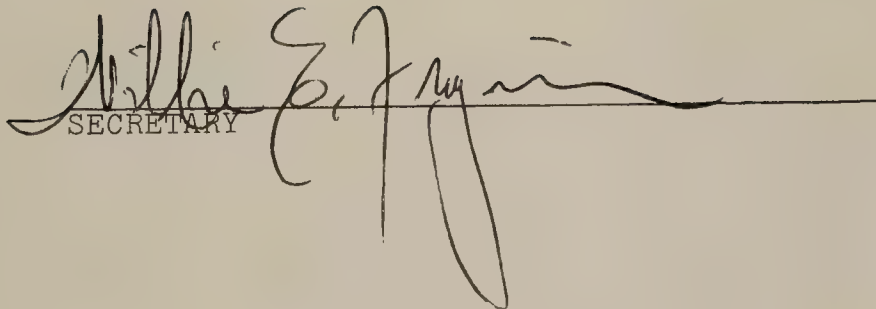
July 2, 1979 at 1730 hours, in Room 551, Hall  
of Justice.

(The entire proceedings were  
taken in shorthand form by  
Hearing Reporter Dorsey A  
McTaggart, C.S.R.)

AYES: Commissioners Ciani, Sanchez, Toler,  
Siggins

NOT VOTING: Commissioner Murphy

The Commission then adjourned its meeting  
at 2120 hours.

  
SECRETARY

